

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Sixty-third Legislative Day

Tuesday, March 15, 2016

1 Prayer by Mr. Louie Hotop, Arrupe Jesuit High School, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Jacklynne Jaime, Arrupe Jesuit High School,
6 Denver.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Brown, Singer--2.

12 Present after roll call--Representative(s) Brown.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Ransom, the reading of the journal of
18 March 14, 2016, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

APPOINTMENT

22

23

24 The Speaker announced the following temporary appointment for March

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THIRD READING OF BILL(S)--FINAL PASSAGE

The following bill(s) were considered on Third Reading. The title(s) were publicly read. Reading of the bill at length was dispensed with by unanimous consent.

HB16-1306 by Representative(s) Williams, Arndt; also Senator(s) Holbert--Concerning revision of the state statutes governing mortgage loan originators to conform more closely to applicable federal law, and, in connection therewith, amending, relocating, and repealing provisions in accordance with the federal "Secure and Fair Enforcement for Mortgage Licensing Act of 2008".

The question being "Shall the bill pass?".
A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y	
Becker J.	Y	Foote	Y	McCann	Y	Saine	Y	
Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y	
Brown	E	Ginal	Y	Mitsch Bush	Y	Sias	Y	
Buck	Y	Hamner	Y	Moreno	Y	Singer	E	
Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y	
Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y	
Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y	
Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y	
Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y	
Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y	
DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y	
Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y	
Duran	Y	Lee	Y	Ransom	Y	Winter	Y	
Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y	
Everett	Y	Lontine	Y	Roupe	Y	Young	Y	
						Speaker	Y	

Co-sponsor(s) added: Representative(s) Court, Melton, Moreno, Ryden, Salazar

SB16-094 by Senator(s) Crowder; also Representative(s) Vigil, Brown--Concerning the shared costs of a district public health agency by the counties in the district.

The question being "Shall the bill pass?".
A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y	
Becker J.	Y	Foote	Y	McCann	Y	Saine	Y	
Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y	
Brown	E	Ginal	Y	Mitsch Bush	Y	Sias	Y	
Buck	Y	Hamner	Y	Moreno	Y	Singer	E	
Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y	
Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y	

1	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
2	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
3	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
4	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
5	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
6	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
7	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
8	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
9	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Arndt, Conti, Fields, Ginal,
12 Kraft-Tharp, Lontine, Mitsch Bush, Rosenthal, Speaker

13
14 **HB16-1285** by Representative(s) Pabon; also Senator(s) Crowder--
15 Concerning a procedure by which an applicant for a
16 driver's license may use a private vendor to readminister
17 the driving test after the applicant fails on the first attempt.

18
19 The question being "Shall the bill pass?".

20 A roll call vote was taken. As shown by the following recorded vote, a
21 majority of those elected to the House voted in the affirmative and the bill
22 was declared **passed**.

23	YES	37	NO	26	EXCUSED	2	ABSENT	0
24								
25	Arndt	Y	Fields	Y	Lundeen	N	Ryden	Y
26	Becker J.	N	Foote	Y	McCann	Y	Saine	N
27	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
28	Brown	E	Ginal	Y	Mitsch Bush	Y	Sias	N
29	Buck	N	Hamner	Y	Moreno	Y	Singer	E
30	Buckner	Y	Humphrey	N	Navarro	N	Thurlow	N
31	Carver	N	Joshi	N	Neville P.	N	Tyler	Y
32	Conti	N	Kagan	Y	Nordberg	N	Van Winkle	N
33	Coram	Y	Klingenschmitt	N	Pabon	Y	Vigil	Y
34	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	N
35	Danielson	Y	Landgraf	N	Primavera	Y	Williams	Y
36	DelGrosso	N	Lawrence	N	Priola	Y	Wilson	Y
37	Dore	N	Lebsock	Y	Rankin	N	Windholz	N
38	Duran	Y	Lee	Y	Ransom	N	Winter	Y
39	Esgar	Y	Leonard	N	Rosenthal	Y	Wist	N
40	Everett	N	Lontine	Y	Roupe	Y	Young	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Arndt, Becker K., Court, Fields,
43 Garnett, Hamner, Kagan, Kraft-Tharp, Lontine, Melton, Mitsch Bush, Moreno,
44 Pettersen, Rosenthal, Ryden, Salazar, Tyler, Vigil, Winter, Young, Speaker

45
46 **HB16-1210** by Representative(s) Rosenthal, Esgar, Ginal, Moreno;
47 also Senator(s) Steadman, Guzman, Ulibarri--Concerning
48 a prohibition on conversion therapy by a licensed mental
49 health provider.

50
51 Laid over until March 16, retaining place on Calendar.

52
53 **HB16-1224** by Representative(s) Lundeen, Becker J., Carver,
54 Nordberg; also Senator(s) Woods--Concerning child abuse
55 involving human trafficking of minors.

56

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
7	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
8	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
9	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
10	Brown	E	Ginal	Y	Mitsch Bush	Y	Sias	Y
11	Buck	Y	Hamner	Y	Moreno	Y	Singer	E
12	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
13	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
14	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
15	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
16	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
17	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
18	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
19	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
20	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
21	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
22	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Becker K., Conti, Court, Fields, Ginal,
 25 Joshi, Kagan, Kraft-Tharp, Lawrence, Lee, McCann, Neville P., Pabon,
 26 Pettersen, Ransom, Rosenthal, Roupe, Van Winkle, Vigil, Windholz, Winter

31 MESSAGE FROM THE SENATE

33 The Senate has adopted and transmits herewith: SJR16-019.

38 INTRODUCTION AND CONSIDERATION OF RESOLUTION

40 On motion of Representative Duran, the rules were suspended and the
 41 following resolution was given immediate consideration.

43 **SJR16-019** by Senator(s) Kefalas and Crowder; also Representative(s)
 44 Landgraf and Arndt--Concerning the designation of March
 45 15, 2016, as "Colorado Arc Day".

47 (Printed and placed in members' files).

49 On motion of Representative Landgraf, the resolution was read at length
 50 and **adopted** by **viva voce** vote.

52 Current Roll Call added as co-sponsor(s): Representative(s) Becker J., Becker
 53 K., Buck, Buckner, Carver, Conti, Coram, Court, Danielson, DelGrosso, Dore,
 54 Duran, Esgar, Everett, Fields, Foote, Garnett, Ginal, Hamner, Humphrey, Joshi,
 55 Kagan, Klingenschmitt, Kraft-Tharp, Lawrence, Lebsock, Lee, Leonard,
 56 Lontine, Lundeen, McCann, Melton, Mitsch Bush, Moreno, Navarro,

1 Neville P., Nordberg, Pabon, Pettersen, Primavera, Priola, Rankin, Ransom,
2 Rosenthal, Roupe, Ryden, Saine, Salazar, Sias, Thurlow, Tyler, Van Winkle,
3 Vigil, Willett, Williams, Wilson, Windholz, Winter, Wist, Young, Speaker.
4
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7
8 **CONSIDERATION OF RESOLUTION(S)**
9

10 [HR16-1005](#) by Representative(s) Klingenschmitt--Concerning the
11 official motto of the state of Colorado, and, in connection
12 therewith, designating March 15, 2016, as "State Motto
13 Day".
14

15 (Printed and placed in members' file)
16

17 On motion of Representative Klingenschmitt, the resolution was read at
18 length and **adopted** by **viva voce** vote.
19

20 Co-sponsor(s) added: Representative(s) Arndt, Becker J., Becker K., Buck,
21 Buckner, Carver, Conti, Coram, Court, Danielson, DelGrosso, Dore, Everett,
22 Fields, Foote, Ginal, Humphrey, Joshi, Kraft-Tharp, Landgraf, Lawrence,
23 Lebsock, Lee, Leonard, Lontine, Lundeen, McCann, Melton, Mitsch Bush,
24 Moreno, Navarro, Neville P., Nordberg, Pabon, Primavera, Priola, Rankin,
25 Ransom, Rosenthal, Roupe, Ryden, Saine, Salazar, Sias, Thurlow, Van Winkle,
26 Vigil, Willett, Williams, Wilson, Windholz, Winter, Wist, Young, Speaker
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30 On motion of Representative Court, the House resolved itself into
31 Committee of the Whole for consideration of General Orders, and she
32 was called to act as Chair.
33

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36 **GENERAL ORDERS--SECOND READING OF BILLS**
37

38
39 The Committee of the Whole having risen, the Chair reported the titles of
40 the following bills had been read (reading at length had been dispensed
41 with by unanimous consent), the bills considered and action taken thereon
42 as follows:
43

44 (Amendments to the committee amendment are to the printed committee
45 report which was printed and placed in the members' bill file.)
46

47 [HB16-1100](#) by Representative(s) Pettersen and Esgar; also Senator(s)
48 Cooke--Concerning the ability of unaccompanied
49 homeless youth to determine domicile for purposes of in-
50 state tuition status at institutions of higher education.
51

52 Amendment No. 1, Education Report, dated February 24, 2016, and
53 placed in member's bill file; Report also printed in House Journal, March
54 25, 2016.
55

1 Amendment No. 2, by Representative(s) Pettersen and Esgar.

2

3 Amend the Education Committee Report, dated February 24, 2016, page
4 1, strike line 1 and substitute:

5

6 "Amend printed bill, page 2, line 8, after "TO" insert "THE PROVISIONS
7 OF" and strike "23-7-102." and substitute "23-7-103."

8

9 Page 2 of the bill, strike lines 9 through 17 and substitute:".

10

11 Page 1 of the report, strike lines 12 through 16 and substitute:

12 "(II) AN UNACCOMPANIED YOUTH, AT RISK OF HOMELESSNESS,
13 AND SELF-SUPPORTING. THE COLORADO COMMISSION ON HIGHER
14 EDUCATION SHALL INCLUDE IN ITS TUITION CLASSIFICATION POLICIES A
15 DEFINITION OF "UNACCOMPANIED HOMELESS YOUTH, AT RISK OF
16 HOMELESSNESS, AND SELF-SUPPORTING".".

17

18 As amended, ordered engrossed and placed on the Calendar for Third
19 Reading and Final Passage.

20

21 [HB16-1198](#) by Representative(s) Pabon and Wilson, Arndt; also
22 Senator(s) Tate and Kerr--Concerning computer science
23 courses fulfilling certain graduation requirements.

24

25 Amendment No. 1, Education Report, dated March 9, 2016, and placed
26 in member's bill file; Report also printed in House Journal, March 10,
27 2016

28

29 As amended, ordered engrossed and placed on the Calendar for Third
30 Reading and Final Passage.

31

32 [HB16-1187](#) by Representative(s) Kraft-Tharp; also Senator(s)
33 Holbert--Concerning a sales and use tax exemption for
34 meals provided in certain retirement communities.

35

36 Amendment No. 1, Finance Report, dated March 9, 2016, and placed in
37 member's bill file; Report also printed in House Journal, March 10, 2016

38

39 As amended, ordered engrossed and placed on the Calendar for Third
40 Reading and Final Passage.

41

42 [HB16-1297](#) by Representative(s) Court, Wilson, Landgraf, Priola, Van
43 Winkle, Williams, Duran, Foote, Arndt, Becker J., Conti,
44 Fields, Garnett, Hamner, Hulinghorst, Kagan, Pabon,
45 Primavera, Roupe; also Senator(s) Martinez Humenik--
46 Concerning the immediate reestablishment of the
47 voluntary contributions excluded from the 2015 Colorado
48 income tax return form for not receiving the requisite
49 minimum dollar amount of contributions by the statutory
50 deadline, and, in connection therewith, expanding the
51 number of voluntary contributions that may appear on the
52 income tax return form and lowering the minimum
53 amount of donations that must be received by every fund
54 appearing on the form.

55

1 Amendment No. 1, Finance Report, dated March 9, 2016, and placed in
2 member's bill file; Report also printed in House Journal, March 10, 2016
3

4 As amended, ordered engrossed and placed on the Calendar for Third
5 Reading and Final Passage.
6

7
8 SB16-121 by Senator(s) Tate; also Representative(s) Garnett--
9 Concerning the percentage of tuition revenue that an
10 institution of higher education is authorized to pledge for
11 contracts for the advancement of money.
12

13 Amendment No. 1, Finance Report, dated March 9, 2016, and placed in
14 member's bill file; Report also printed in House Journal, March 10, 2016
15

16 As amended, ordered revised and placed on the Calendar for Third
17 Reading and Final Passage.
18

19
20 SB16-012 by Senator(s) Heath; also Representative(s) Singer--
21 Concerning the authority of a local assessor to grant
22 additional time for a landowner to reconstruct residential
23 improvements that were destroyed by a natural cause.
24

25 Laid over until March 16, retaining place on Calendar.
26

27
28 HB16-1271 by Representative(s) Singer and Nordberg; also Senator(s)
29 Jahn and Lundberg--Concerning the ability of a limited
30 winery that has a winery direct shipper's permit to deliver
31 vinous liquors of its own manufacture directly to a
32 personal consumer without the use of a common carrier.
33

34 Laid over until March 16, retaining place on Calendar.
35

36
37 HB16-1323 by Representative(s) Kraft-Tharp; also Senator(s) Cooke--
38 Concerning changing the name of the division of labor to
39 the division of labor standards and statistics.
40

41 Ordered engrossed and placed on the Calendar for Third Reading and
42 Final Passage.
43

44
45 SB16-127 by Senator(s) Tate; also Representative(s) Arndt--
46 Concerning the repeal of the "Medical Clean Claims
47 Transparency and Uniformity Act".
48

49 Ordered revised and placed on the Calendar for Third Reading and Final
50 Passage.
51

52
53 SB16-010 by Senator(s) Baumgardner; also Representative(s)
54 Becker J.--Concerning the purchase of an off-highway
55 vehicle by a dealer.
56

1 Amendment No. 1, Transportation & Energy Report, dated March 10,
2 2016, and placed in member's bill file; Report also printed in House
3 Journal, March 11, 2016

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

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ADOPTION OF COMMITTEE OF THE WHOLE REPORT

10 Passed Second Reading: **HB16-1100 amended, 1198 amended, 1187**
11 **amended, 1297 amended, SB16-121 amended, HB16-1323, SB16-127,**
12 **010 amended.**

13
14 Laid over until date indicated retaining place on Calendar:
15 **SB16-012, HB16-1271--March 16, 2016**

16

17 The Chairman moved the adoption of the Committee of the Whole
18 Report. As shown by the following roll call vote, a majority of those
19 elected to the House voted in the affirmative, and the Report was
20 **adopted.**

21

	YES	64	NO	0	EXCUSED	1	ABSENT	0
25 Arndt	Y		Fields	Y	Lundeen	Y	Ryden	Y
26 Becker J.	Y		Foote	Y	McCann	Y	Saine	Y
27 Becker K.	Y		Garnett	Y	Melton	Y	Salazar	Y
28 Brown	Y		Ginal	Y	Mitsch Bush	Y	Sias	Y
29 Buck	Y		Hamner	Y	Moreno	Y	Singer	E
30 Buckner	Y		Humphrey	Y	Navarro	Y	Thurlow	Y
31 Carver	Y		Joshi	Y	Neville P.	Y	Tyler	Y
32 Conti	Y		Kagan	Y	Nordberg	Y	Van Winkle	Y
33 Coram	Y		Klingenschmitt	Y	Pabon	Y	Vigil	Y
34 Court	Y		Kraft-Tharp	Y	Pettersen	Y	Willett	Y
35 Danielson	Y		Landgraf	Y	Primavera	Y	Williams	Y
36 DelGrosso	Y		Lawrence	Y	Priola	Y	Wilson	Y
37 Dore	Y		Lebsock	Y	Rankin	Y	Windholz	Y
38 Duran	Y		Lee	Y	Ransom	Y	Winter	Y
39 Esgar	Y		Leonard	Y	Rosenthal	Y	Wist	Y
40 Everett	Y		Lontine	Y	Roupe	Y	Young	Y
41							Speaker	Y

42

43

44

45

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS(RESOLUTIONS)

46

47

48

49 **HB16-1151** by Representative(s) Pabon, Nordberg, Rosenthal, Singer;

50 also Senator(s) Holbert, Jahn--Concerning the expansion

51 of penalty mitigation under the alcohol beverage laws for

52 vendors meeting the definition of a "responsible vendor"

53 as provided by law.

54

55 (Amended as printed in Senate Journal, March 10, 2016.)

56

1 Representative Pabon moved that the House **concur** in Senate
 2 amendments. The motion was declared **passed** by the following roll call
 3 vote:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
6 Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y	
7 Becker J.	Y	Foote	Y	McCann	Y	Saine	Y	
8 Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y	
9 Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y	
10 Buck	Y	Hamner	Y	Moreno	Y	Singer	E	
11 Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y	
12 Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y	
13 Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y	
14 Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y	
15 Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y	
16 Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y	
17 DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y	
18 Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y	
19 Duran	Y	Lee	Y	Ransom	Y	Winter	Y	
20 Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y	
21 Everett	Y	Lontine	Y	Roupe	Y	Young	Y	
22						Speaker	Y	

23
 24 The question being, "Shall the bill, as amended, pass?"
 25 A roll call vote was taken. As shown by the following recorded vote, a
 26 majority of those elected to the House voted in the affirmative, and the
 27 bill, as amended, was declared **repassed**.

	YES	62	NO	2	EXCUSED	1	ABSENT	0
30 Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y	
31 Becker J.	Y	Foote	Y	McCann	Y	Saine	Y	
32 Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y	
33 Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y	
34 Buck	Y	Hamner	Y	Moreno	Y	Singer	E	
35 Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y	
36 Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y	
37 Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y	
38 Coram	Y	Klingenschmitt	N	Pabon	Y	Vigil	Y	
39 Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y	
40 Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y	
41 DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y	
42 Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y	
43 Duran	Y	Lee	Y	Ransom	Y	Winter	Y	
44 Esgar	Y	Leonard	N	Rosenthal	Y	Wist	Y	
45 Everett	Y	Lontine	Y	Roupe	Y	Young	Y	
46						Speaker	Y	

47 Co-sponsors added: Representative(s) Becker K., Kraft-Tharp, Vigil.

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 49
 50
 51 House in recess. House reconvened.
 52
 53
 54

1 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

2
3 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

4 After consideration on the merits, the Committee recommends the following:

5
6 **HB16-1228** be amended as follows, and as so amended, be referred to
7 the Committee of the Whole with favorable
8 recommendation:
9

10 Amend printed bill, strike everything below the enacting clause and
11 substitute:

12
13 **"SECTION 1.** In Colorado Revised Statutes, **add** 37-60-133 as
14 follows:

15 **37-60-133. Minimum criteria and guidelines for agricultural**
16 **water protection programs.** (1) (a) THE BOARD SHALL DEVELOP
17 MINIMUM CRITERIA AND GUIDELINES FOR THE ESTABLISHMENT OF AN
18 AGRICULTURAL WATER PROTECTION PROGRAM PURSUANT TO SECTION
19 37-92-305 (19) (b) (IV) (B) TO ASSURE SUFFICIENT PROTECTION AND
20 MONITORING OF AGRICULTURAL WATER PROTECTION WATER RIGHTS
21 PURSUANT TO SECTION 37-92-305 (19) (b) (III).

22 (b) THE BOARD MAY PROMULGATE SEPARATE MINIMUM CRITERIA
23 AND GUIDELINES FOR EACH WATER DIVISION.

24 (c) (I) UNTIL FINALIZATION OF THE CRITERIA AND GUIDELINES, THE
25 BOARD SHALL POST AND PERIODICALLY UPDATE DRAFT CRITERIA AND
26 GUIDELINES ON ITS WEBSITE.

27 (II) THE BOARD SHALL CONSIDER ANY COMMENTS IT RECEIVES ON
28 THE DRAFT CRITERIA AND GUIDELINES AND, UPON THE REQUEST OF AN
29 ELIGIBLE ENTITY, AS DEFINED IN SECTION 37-92-305 (19) (c), THE BOARD
30 SHALL HOLD A MEETING WITH THE ELIGIBLE ENTITY TO RECEIVE THE
31 ELIGIBLE ENTITY'S COMMENTS.

32 (III) THE BOARD SHALL HOLD AT LEAST ONE PUBLIC MEETING IN
33 EACH WATER DIVISION TO PRESENT THE DRAFT CRITERIA AND GUIDELINES
34 AND RECEIVE COMMENTS ON THEM.

35 (2) THE BOARD SHALL FINALIZE THE CRITERIA AND GUIDELINES
36 WITHIN ONE YEAR AFTER INITIATING THE PROCESS TO DEVELOP CRITERIA
37 AND GUIDELINES.

38 (3) AS USED IN THIS SECTION, "AGRICULTURAL WATER PROTECTION
39 WATER RIGHT" HAS THE SAME MEANING AS IN SECTION 37-92-305 (19) (a).

40 **SECTION 2.** In Colorado Revised Statutes, **add** 37-80-123 as
41 follows:

42 **37-80-123. Lease, loan, or trade of agricultural water**
43 **protection water right - rules - definition.** (1) (a) AS SOON AS
44 PRACTICABLE, THE STATE ENGINEER SHALL INITIATE THE PROMULGATION
45 OF RULES GOVERNING THE REVIEW OF A SUBSTITUTE WATER SUPPLY PLAN
46 PURSUANT TO SECTION 37-92-308 (12). IN PROMULGATING THE RULES, THE
47 STATE ENGINEER SHALL FOLLOW THE STATE ENGINEER'S OWN
48 RULE-MAKING PROCEDURES.

49 (b) THE RULES MUST INCLUDE:

50 (I) TERMS AND CONDITIONS THAT THE STATE ENGINEER MAY
51 IMPOSE THROUGH AN APPROVED SUBSTITUTE WATER SUPPLY PLAN
52 PURSUANT TO SECTION 37-92-308 (12);

53 (II) CRITERIA THAT THE STATE ENGINEER SHOULD CONSIDER IN
54 REVIEWING A SUBSTITUTE WATER SUPPLY PLAN APPLICATION FILED
55 PURSUANT TO SECTION 37-92-308 (12);

56 (III) PROCEDURES BY WHICH THE STATE ENGINEER MAY

1 RECONSIDER A DECISION; AND

2 (IV) PROCEDURES FOR CREATING A DATABASE THAT TRACKS AND
3 INVENTORIES SUBSTITUTE WATER SUPPLY PLANS APPROVED UNDER
4 SECTION 37-92-308 (12) AND FOR MAKING THE FOLLOWING INFORMATION
5 FROM THE DATABASE ACCESSIBLE TO THE PUBLIC:

6 (A) THE AMOUNT OF WATER SUBJECT TO EACH APPROVED PLAN;

7 (B) THE LOCATION OF USE OF WATER UNDER EACH APPROVED
8 PLAN; AND

9 (C) THE DECREED BENEFICIAL USE OF WATER LEASED, LOANED, OR
10 TRADED IN CONNECTION WITH EACH APPROVED PLAN.

11 (c) THE WATER JUDGE FOR WATER DIVISION 1 SHALL REVIEW THE
12 RULES PROMULGATED UNDER THIS SECTION IN ACCORDANCE WITH THE
13 PROCEDURES SET FORTH IN SECTIONS 37-92-501 (2) (g), (3) (a), AND (3)
14 (b).

15 (2) AS USED IN THIS SECTION, "AGRICULTURAL WATER PROTECTION
16 WATER RIGHT" HAS THE SAME MEANING AS IN SECTION 37-92-305 (19) (a).

17 **SECTION 3.** In Colorado Revised Statutes, 37-92-305, **add** (4)
18 (c) and (19) as follows:

19 **37-92-305. Standards with respect to rulings of the referee and**
20 **decisions of the water judge - definitions.** (4) (c) WITH RESPECT TO A
21 CHANGE-IN-USE APPLICATION THAT SEEKS APPROVAL TO CHANGE AN
22 ABSOLUTE DECREED IRRIGATION WATER RIGHT USED FOR AGRICULTURAL
23 PURPOSES TO AN AGRICULTURAL WATER PROTECTION WATER RIGHT, AS
24 DESCRIBED IN SUBSECTION (19) OF THIS SECTION, THE DECREE MUST:

25 (I) QUANTIFY THE HISTORICAL DIVERSIONS AND HISTORICAL
26 CONSUMPTIVE USE OF THE ABSOLUTE DECREED IRRIGATION WATER RIGHT
27 USED FOR AGRICULTURAL PURPOSES PURSUANT TO SUBSECTION (3) OF THIS
28 SECTION;

29 (II) QUANTIFY THE RETURN FLOWS ASSOCIATED WITH THE
30 HISTORICAL USE OF THE WATER RIGHT IN TIME, PLACE, AND AMOUNT;

31 (III) PROVIDE TERMS AND CONDITIONS, PURSUANT TO PARAGRAPH
32 (a) OF THIS SUBSECTION (4), FOR A CHANGE IN THE USE OF THE
33 AGRICULTURAL WATER PROTECTION WATER RIGHT PURSUANT TO A
34 SUBSTITUTE WATER SUPPLY PLAN, APPROVED IN ACCORDANCE WITH
35 SECTIONS 37-92-308 (12) AND 37-80-123, INCLUDING THE RETURN FLOW
36 OBLIGATIONS IN TIME, PLACE, AND AMOUNT THAT PREVENT MATERIAL
37 INJURY TO OTHER VESTED WATER RIGHTS AND DECREED CONDITIONAL
38 WATER RIGHTS;

39 (IV) IN ACCORDANCE WITH SUBPARAGRAPH (II) OF PARAGRAPH (b)
40 OF SUBSECTION (19) OF THIS SECTION, ALLOW AN AMOUNT OF THE
41 QUANTIFIED HISTORICAL CONSUMPTIVE PORTION OF WATER SUBJECT TO
42 THE CHANGED AGRICULTURAL WATER PROTECTION WATER RIGHT TO BE
43 DELIVERED TO A POINT OF DIVERSION OR DECREED INSTREAM FLOW WITHIN
44 THE WATER DIVISION OF HISTORICAL USE WITHOUT DESIGNATING THE
45 BENEFICIAL USE TO WHICH THE WATER WILL BE APPLIED. DELIVERY MUST
46 BE TO A POINT OF DIVERSION OR DECREED INSTREAM FLOW THAT IS
47 APPROVED BY THE STATE ENGINEER IN ACCORDANCE WITH CONDITIONS:

48 (A) SET FORTH IN SECTION 37-92-308 (12); AND

49 (B) DEVELOPED BY THE STATE ENGINEER PURSUANT TO SECTION
50 37-80-123; AND

51 (V) FOR A PERIOD THAT THE WATER JUDGE DEEMS NECESSARY AND
52 DESIRABLE TO REMEDY OR PRECLUDE INJURY AND PURSUANT TO SECTION
53 37-92-304 (6), BE SUBJECT TO RETAINED JURISDICTION BY THE WATER
54 JUDGE ON THE QUESTION OF INJURY TO OTHER VESTED WATER RIGHTS.

55 (19) **Agricultural water protection - definitions.** (a) (I) AFTER
56 THE STATE ENGINEER'S PROPOSED RULES PROMULGATED UNDER SECTION

1 37-80-123 ARE REVIEWED AND FINALIZED PURSUANT TO SECTION
2 37-80-123 (1) (c) AND AFTER THE COLORADO WATER CONSERVATION
3 BOARD HAS FINALIZED THE CRITERIA AND GUIDELINES DEVELOPED
4 PURSUANT TO SECTION 37-60-133, THE OWNER OF AN ABSOLUTE DECREED
5 IRRIGATION WATER RIGHT USED FOR AGRICULTURAL PURPOSES MAY APPLY
6 IN WATER COURT TO CHANGE THE USE OF THE WATER RIGHT TO AN
7 AGRICULTURAL WATER PROTECTION WATER RIGHT. AS USED IN THIS
8 SECTION, AN "AGRICULTURAL WATER PROTECTION WATER RIGHT" MEANS
9 A WATER RIGHT DECREED TO ALLOW THE LEASE, LOAN, OR TRADE OF UP TO
10 FIFTY PERCENT OF THE WATER SUBJECT TO THE WATER RIGHT.

11 (II) AFTER A PERSON HAS OBTAINED A DECREED AGRICULTURAL
12 WATER PROTECTION WATER RIGHT, THE PERSON MAY APPLY FOR
13 SUBSTITUTE WATER SUPPLY PLAN APPROVAL PURSUANT TO SECTION
14 37-92-308 (12).

15 (b) IF THE OWNER OF A DECREED AGRICULTURAL WATER
16 PROTECTION WATER RIGHT OBTAINS A SUBSTITUTE WATER SUPPLY PLAN
17 PURSUANT TO SECTION 37-92-308 (12), THE AGRICULTURAL WATER
18 PROTECTION WATER RIGHT IS SUBJECT TO THE FOLLOWING CONDITIONS:

19 (I) THE OWNER OF A DECREED AGRICULTURAL WATER PROTECTION
20 WATER RIGHT MUST COMPLY WITH THE TERMS OF THE DECREE GOVERNING
21 THE POINT OF DIVERSION OR INSTREAM FLOW WHERE THE LEASED,
22 LOANED, OR TRADED WATER IS BEING DELIVERED;

23 (II) THE OWNER MAY LEASE, LOAN, OR TRADE UP TO FIFTY
24 PERCENT OF THE QUANTIFIED HISTORICAL CONSUMPTIVE USE PORTION OF
25 THE AGRICULTURAL WATER PROTECTION WATER RIGHT;

26 (III) ANY AMOUNT OF WATER NOT BEING LEASED, LOANED, OR
27 TRADED MUST CONTINUE TO BE USED FOR AGRICULTURAL PURPOSES:

28 (A) ON THE PROPERTY HISTORICALLY DECREED TO BE SERVED BY
29 THE ORIGINAL ABSOLUTE DECREED IRRIGATION WATER RIGHT; OR

30 (B) FOR AS LONG AS THE OTHER PORTION OF WATER IS BEING
31 LEASED, LOANED, OR EXCHANGED, ON ANOTHER PROPERTY SERVED BY
32 THE SAME DITCH SYSTEM;

33 (IV) THE OWNER OF THE AGRICULTURAL WATER PROTECTION
34 WATER RIGHT IS REQUIRED TO PARTICIPATE IN ONE OR MORE OF THE
35 FOLLOWING PROGRAMS:

36 (A) AS ESTABLISHED BY THE FEDERAL GOVERNMENT, THE STATE,
37 A SUBDIVISION OF THE STATE, OR A NONPROFIT ORGANIZATION,
38 CONSERVATION PROGRAMS THAT CONSERVE THE LAND HISTORICALLY
39 SERVED BY THE IRRIGATION WATER RIGHT, WHICH PROGRAMS INCLUDE
40 COLORADO'S CONSERVATION EASEMENT PROGRAM ESTABLISHED IN
41 ARTICLE 30.5 OF TITLE 38, C.R.S., THE UNITED STATES FISH AND WILDLIFE
42 SERVICE EASEMENT PROGRAM, THE NATURAL RESOURCES CONSERVATION
43 SERVICES EASEMENT PROGRAM, THE COLORADO DIVISION OF PARKS AND
44 WILDLIFE EASEMENT PROGRAM, AND A COUNTY OPEN SPACE EASEMENT
45 PROGRAM; OR

46 (B) AN AGRICULTURAL WATER PROTECTION PROGRAM DESIGNED
47 TO ASSURE COMPLIANCE WITH THE TERMS OF SUBPARAGRAPH (III) OF THIS
48 PARAGRAPH (b). THE PROGRAM MUST BE SPONSORED AND OPERATED BY
49 AN ELIGIBLE ENTITY THROUGH A FORMAL ACTION OR ORDINANCE AND IN
50 COMPLIANCE WITH MINIMUM CRITERIA AND GUIDELINES ESTABLISHED BY
51 THE COLORADO WATER CONSERVATION BOARD PURSUANT TO SECTION
52 37-60-133. AN ELIGIBLE ENTITY MAY ENROLL AGRICULTURAL WATER
53 PROTECTION WATER RIGHTS ONLY FROM A WATER RIGHT HISTORICALLY
54 DECREED WITHIN THE ENTITY'S GEOGRAPHIC BOUNDARY.

55 (V) IF THE OWNER'S PARTICIPATION IN A CONSERVATION PROGRAM
56 PURSUANT TO SUBPARAGRAPH (IV) OF THIS PARAGRAPH (b) CEASES, THE

1 OWNER'S ELIGIBILITY TO TRANSFER WATER SUBJECT TO THE
2 AGRICULTURAL WATER PROTECTION WATER RIGHT BY LEASE, LOAN, OR
3 TRADE OR TO OBTAIN A SUBSTITUTE WATER SUPPLY PLAN PURSUANT TO
4 SECTION 37-92-308 (12) IS SUSPENDED, AND THE WATER MUST BE USED
5 ONLY FOR AGRICULTURAL IRRIGATION PURPOSES ON THE PROPERTY
6 HISTORICALLY DECREED TO BE SERVED BY THE ORIGINAL ABSOLUTE
7 DECREED IRRIGATION WATER RIGHT UNTIL THE OWNER PARTICIPATES IN
8 ONE OF THE CONSERVATION PROGRAMS AGAIN; AND

9 (VI) THE OWNER SHALL NOT LEASE, LOAN, OR TRADE WATER
10 SUBJECT TO THE AGRICULTURAL WATER PROTECTION WATER RIGHT
11 OUTSIDE OF THE WATER DIVISION WHERE THE HISTORICAL CONSUMPTIVE
12 USE WAS LOCATED.

13 (c) AS USED IN THIS SUBSECTION (19), AN "ELIGIBLE ENTITY"
14 MEANS AN ENTITY THAT:

15 (I) HAS GEOGRAPHIC BOUNDARIES THAT ARE LOCATED ENTIRELY
16 WITHIN THE WATER DIVISION OF THE WATER RIGHT'S HISTORICAL PLACE OF
17 USE AND ARE DEFINED IN AN ORIGINAL OR AMENDED DOCUMENT
18 GOVERNING THE ENTITY; AND

19 (II) IS A WATER CONSERVATION DISTRICT, WATER CONSERVANCY
20 DISTRICT, IRRIGATION DISTRICT, DITCH OR RESERVOIR COMPANY,
21 NONPROFIT WATER PROVIDER, OR A MUNICIPALITY.

22 **SECTION 4.** In Colorado Revised Statutes, 37-92-308, **add** (12)
23 as follows:

24 **37-92-308. Substitute water supply plans - special procedures**
25 **for review - water adjudication cash fund - legislative declaration -**
26 **repeal. (12) Agricultural water protection. (a)** AFTER A PERSON HAS
27 OBTAINED A DECREED AGRICULTURAL WATER PROTECTION WATER RIGHT
28 PURSUANT TO SECTION 37-92-305 (19), THE PERSON MAY APPLY FOR A
29 SUBSTITUTE WATER SUPPLY PLAN PURSUANT TO THIS SUBSECTION (12).

30 (b) (I) THE STATE ENGINEER MAY APPROVE THE LEASE, LOAN, OR
31 TRADE OF WATER UNDER A SUBSTITUTE WATER SUPPLY PLAN PURSUANT
32 TO THIS SUBSECTION (12) IF THE APPLICANT HAS:

33 (A) PROVIDED WRITTEN NOTICE OF THE REQUEST FOR APPROVAL
34 OF THE SUBSTITUTE WATER SUPPLY PLAN BY ELECTRONIC MAIL OR
35 FIRST-CLASS MAIL TO ALL PARTIES WHO HAVE SUBSCRIBED TO THE
36 SUBSTITUTE WATER SUPPLY PLAN NOTIFICATION LIST FOR THE WATER
37 DIVISION IN WHICH THE PROPOSED PLAN IS LOCATED; AND

38 (B) FILED PROOF OF THE NOTICE WITH THE STATE ENGINEER.

39 (II) A PERSON WHO RECEIVES WRITTEN NOTICE OF THE REQUEST
40 FOR APPROVAL OF A SUBSTITUTE WATER SUPPLY PLAN PURSUANT TO
41 SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) HAS THIRTY-FIVE DAYS AFTER
42 THE DATE THAT THE NOTICE WAS MAILED TO FILE COMMENTS WITH THE
43 STATE ENGINEER ON THE SUBSTITUTE WATER SUPPLY PLAN APPLICATION.
44 A PARTY FILING A COMMENT WITH THE STATE ENGINEER MUST INCLUDE
45 THE FOLLOWING IN THE COMMENT:

46 (A) ANY CLAIM OF INJURY;

47 (B) ANY TERMS AND CONDITIONS THAT THE PARTY BELIEVES
48 SHOULD BE IMPOSED ON THE PLAN TO PREVENT INJURY TO A PARTY'S
49 WATER RIGHTS OR DECREED CONDITIONAL WATER RIGHTS; AND

50 (C) ANY OTHER INFORMATION THE PARTY WISHES THE STATE
51 ENGINEER TO CONSIDER IN REVIEWING THE SUBSTITUTE WATER SUPPLY
52 PLAN REQUEST.

53 (c) IF, AFTER CONSIDERATION OF THE APPLICATION AND ANY
54 COMMENTS RECEIVED ON THE APPLICATION, THE STATE ENGINEER
55 APPROVES A SUBSTITUTE WATER SUPPLY PLAN PURSUANT TO THIS
56 SUBSECTION (12), THE APPROVAL MUST:

- 1 (I) COMPLY WITH CONDITIONS:
2 (A) SET FORTH IN SECTION 37-92-305 (19); AND
3 (B) DEVELOPED BY THE STATE ENGINEER PURSUANT TO SECTION
4 37-80-123;
- 5 (II) COMPLY WITH THE TERMS AND CONDITIONS OF THE
6 APPLICANT'S DECREED AGRICULTURAL WATER PROTECTION WATER RIGHT,
7 AS RECOGNIZED BY THE CASE NUMBER OF THE DECREE;
- 8 (III) IDENTIFY THE ASSOCIATED WATER RIGHT AS AN
9 AGRICULTURAL WATER PROTECTION WATER RIGHT;
- 10 (IV) QUANTIFY THE PORTION OF THE HISTORICAL CONSUMPTIVE
11 USE OF THE WATER RIGHT TO BE LEASED, LOANED, OR TRADED;
- 12 (V) QUANTIFY THE PORTION OF THE RETURN FLOWS ASSOCIATED
13 WITH THE HISTORICAL USE OF THE WATER TO BE LEASED, LOANED, OR
14 TRADED IN TIME, PLACE, AND AMOUNT;
- 15 (VI) PROVIDE TERMS AND CONDITIONS FOR THE USE OF THE WATER
16 RIGHT, INCLUDING THE RETURN FLOW OBLIGATIONS IN TIME, PLACE, AND
17 AMOUNT, THAT PREVENT MATERIAL INJURY TO OTHER VESTED WATER
18 RIGHTS AND DECREED CONDITIONAL WATER RIGHTS; AND
- 19 (VII) IN ACCORDANCE WITH SECTION 37-92-305 (19) (b) (I),
20 ALLOW DELIVERY OF AN AMOUNT OF THE QUANTIFIED HISTORICAL
21 CONSUMPTIVE PORTION OF THE AGRICULTURAL WATER PROTECTION
22 WATER RIGHT. DELIVERY MUST BE TO A POINT OF DIVERSION THAT IS
23 SUBJECT TO AN EXISTING WATER COURT DECREE OR A DECREED INSTREAM
24 FLOW.
- 25 (d) A SUBSTITUTE WATER SUPPLY PLAN APPROVED PURSUANT TO
26 THIS SUBSECTION (12) IS VALID FOR ONE YEAR. IF THE TERMS AND
27 CONDITIONS OF THE PLAN REMAIN UNCHANGED, THE HOLDER OF THE PLAN
28 MAY RENEW THE PLAN TWO TIMES WITHOUT REAPPLYING BY NOTIFYING
29 THE STATE ENGINEER BY ELECTRONIC MAIL OR FIRST-CLASS MAIL THAT
30 THE TERMS AND CONDITIONS REMAIN UNCHANGED. TO MAINTAIN THE
31 SUBSTITUTE WATER SUPPLY PLAN, THE HOLDER OF THE PLAN MUST FILE A
32 NEW APPLICATION EVERY THREE YEARS. ANY CHANGE IN THE TERMS AND
33 CONDITIONS IMMEDIATELY NULLIFIES THE SUBSTITUTE WATER SUPPLY
34 PLAN, AND A NEW APPLICATION MUST BE APPLIED FOR AND APPROVED BY
35 THE STATE ENGINEER PURSUANT TO THIS SUBSECTION (12).
- 36 (e) WHEN THE STATE ENGINEER APPROVES OR DENIES A
37 SUBSTITUTE WATER SUPPLY PLAN, THE STATE ENGINEER SHALL SERVE A
38 COPY OF THE DECISION ON ALL PARTIES TO THE APPLICATION AND THE
39 WATER COURT APPLICATION BY FIRST-CLASS MAIL OR, IF A PARTY HAS SO
40 ELECTED, BY ELECTRONIC MAIL.
- 41 (f) THE STATE ENGINEER MUST PROVIDE A DETAILED STATEMENT
42 OF THE BASIS AND RATIONALE FOR THE DECISION. FOR A DECISION
43 APPROVING THE APPLICATION, THE STATEMENT OF THE BASIS AND
44 RATIONALE MUST INCLUDE A COMPLETE EXPLANATION OF THE TERMS AND
45 CONDITIONS IMPOSED TO PREVENT INJURY TO OTHER WATER RIGHTS AND
46 WHY THEY ARE IMPOSED. THE DECISION MUST INCLUDE A DESCRIPTION OF
47 THE CONSIDERATION GIVEN TO ANY WRITTEN COMMENTS THAT WERE
48 FILED BY OTHER PARTIES.
- 49 (g) NEITHER THE STATE ENGINEER'S APPROVAL NOR DENIAL OF AN
50 APPLICATION CREATES ANY PRESUMPTIONS, SHIFTS THE BURDEN OF PROOF,
51 OR SERVES AS A DEFENSE IN ANY LEGAL ACTION THAT MAY BE INITIATED
52 CONCERNING THE SUBSTITUTE WATER SUPPLY PLAN.
- 53 (h) ANY APPEAL OF A DECISION MADE BY THE STATE ENGINEER
54 CONCERNING A SUBSTITUTE WATER SUPPLY PLAN APPROVED OR DENIED
55 PURSUANT TO THIS SUBSECTION (12) MUST BE MADE WITHIN THIRTY-FIVE
56 DAYS AFTER THE DATE OF SERVICE OF THE DECISION. ANY APPEAL MUST

1 BE FILED UNDER THE SAME CASE NUMBER AS THE DECREED AGRICULTURAL
2 WATER PROTECTION WATER RIGHT AND SHALL BE HEARD USING THE
3 PROCEDURES AND STANDARDS SET FORTH IN SECTIONS 37-92-304 AND
4 37-92-305 FOR DETERMINATION OF THE MATTERS REFERRED TO THE
5 WATER JUDGE BY THE REFEREE. THE WATER JUDGE SHALL HEAR AND
6 DETERMINE ANY APPEAL ON AN EXPEDITED BASIS.

7 **SECTION 5. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, and safety."

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14 **EDUCATION**

15 After consideration on the merits, the Committee recommends the
16 following:

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18 **HB16-1162** be postponed indefinitely.

21 **HB16-1259** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:

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25 Amend printed bill, page 4, strike lines 2 through 5 and substitute:

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27 "(8) ~~Each junior~~ A LOCAL college district ~~which~~ THAT has a
28 five-member board of trustees may increase the board membership to
29 seven members at any time by the appointment of two new members. A
30 LOCAL COLLEGE DISTRICT THAT HAS A SEVEN-MEMBER BOARD OF
31 TRUSTEES MAY INCREASE THE BOARD MEMBERS TO NINE OR ELEVEN
32 MEMBERS BY THE APPOINTMENT OF NEW MEMBERS IF ONE OR MORE
33 ADDITIONAL SCHOOL DISTRICTS IS ANNEXED INTO THE LOCAL COLLEGE
34 DISTRICT AS PROVIDED IN SECTION 23-71-128. Each person appointed".

36 Page 5, line 26, strike "TRUSTEES," and substitute "TRUSTEES OF
37 COLORADO MOUNTAIN COLLEGE,".

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39 Page 6, line 8, strike "THE BOARD" and substitute "AFTER THE BOARD
40 RECEIVES NOTICE OF THE PROPOSED ACTION, THE BOARD SECRETARY".

42 Page 6, line 9, strike "PUBLIC," and substitute "PUBLIC BY POSTING NOTICE
43 OF THE PROPOSED ACTION IN THE DESIGNATED PUBLIC PLACE FOR POSTING
44 NOTICE OF MEETINGS DESCRIBED IN SECTION 24-6-402 (2) (c), C.R.S.,".

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46 Page 6, line 12, strike "BOARD" and substitute "BOARD,".

47 Page 6, strike line 13 and substitute "NOTICE, DELIVERS A WRITTEN VOTE
48 IN FAVOR OF TAKING THE ACTION.".

50 Page 6, line 22, after "BOARD" insert "OF TRUSTEES OF COLORADO
51 MOUNTAIN COLLEGE".

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53 Page 7, after line 25 insert:

55 "(g) IN ADDITION TO THE LIST DESCRIBED IN SECTION 24-6-402 (7),
56 C.R.S., THE BOARD SECRETARY SHALL MAINTAIN A LIST OF PERSONS WHO

1 ASK FOR NOTICE OF A PROPOSED ACTION TO BE TAKEN PURSUANT TO THIS
2 SUBSECTION (2). THE BOARD SECRETARY SHALL NOTIFY EACH PERSON ON
3 THE LIST OF A PROPOSED ACTION AND SHALL SPECIFY IN THE NOTICE THAT
4 A MEMBER OF THE PUBLIC MAY REQUEST THAT THE BOARD DISCUSS THE
5 PROPOSED ACTION IN A REGULAR OR SPECIAL BOARD MEETING.".

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10 **STATE, VETERANS, & MILITARY AFFAIRS**

11 After consideration on the merits, the Committee recommends the
12 following:

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14 **HB16-1126** be postponed indefinitely.

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17 **HB16-1206** be postponed indefinitely.

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20 **HB16-1221** be postponed indefinitely.

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23 **SB16-034** be referred to the Committee of the Whole with favorable
24 recommendation.

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28 **PRINTING REPORT**

29

30 The Chief Clerk reports the following bill has been correctly printed:
31 **HB16-1360.**

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35 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

36

37 The Speaker has signed: **HB16-1033, 1038, 1082, 1083; SB16-055, 063,**
38 **089, 090, 091, 092, 093, 095, and 107.**

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42 **DELIVERY OF BILLS TO GOVERNOR**

43

44 The Chief Clerk of the House of Representatives reports the following
45 bills have been delivered to the Office of the Governor: **HB16-1051,**
46 **1064, 1091, 1119, 1284** at 11:11 a.m. on March 15, 2016.

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50 **MESSAGE FROM THE SENATE**

51

52 The Senate has passed on Third Reading and returns herewith:
53 **HB16-1236 and 1168.**

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1 On motion of Representative Duran, the following bill(s) will be
2 calendared for General Orders on March 16, 2016: **HB16-1259,**
3 **SB16-034.**

4
5 On motion of Representative Duran, the following bill(s) will be
6 calendared for General Orders on March 21, 2016: **HB16-1228.**

7
8 On motion of Representative Duran, the following bill(s) calendared for
9 General Orders, March 16, will be calendared for March 21, 2016:
10 **HB16-1101.**

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13 On motion of Representative Duran, the House adjourned until 9:00 a.m.,
14 March 16, 2016.

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Approved:

DICKEY LEE HULLINGHORST,
Speaker

Attest:

MARILYN EDDINS,

Chief Clerk

