

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
Second Regular Session

69th Legislative Day

Monday, March 21, 2016

Prayer	By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.	1
Call to Order	By the President at 10:00 a.m.	2
Roll Call	Present--34 Excused--1, Guzman.	3
Quorum	The President announced a quorum present.	4
Pledge	By Senator Tate.	5
Reading of Journal	On motion of Senator Neville, reading of the Journal of Friday, March 18, 2016, was dispensed with, and the Journal was approved as corrected by the Secretary.	6

SENATE SERVICES REPORT

Correctly Engrossed: SJR16-014.
Correctly Reengrossed: SB16-106, 123, and 131.
Correctly Revised: HB16-1106, 1145, and 1272.
Correctly Rerevised: HB16-1094.
Correctly Enrolled: SB16-010, 012, 034, 088, 094, 121, and 127; SJR16-015, 016, 017, and 019.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR16-024 by Senator(s) Roberts; --Concerning the remembrance of Ute history in Colorado, and, in connection therewith, honoring the culture and heritage of the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe.

Laid over until Thursday, March 24, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB16-166 by Senator(s) Woods; also Representative(s) Kagan--Concerning the creation of transportation fuel distributors' tax liens.
Finance

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- SB16-167** by Senator(s) Grantham, Lambert, Steadman; also Representative(s) Rankin, Hamner, Young--Concerning a reduction in the severance tax operational fund reserve for the 2016-17 fiscal year.
Appropriations
- SB16-168** by Senator(s) Roberts; also Representative(s) Brown--Concerning the ability of a political subdivision from an adjoining state to jointly operate an airport in Colorado.
Local Government
- SB16-169** by Senator(s) Martinez Humenik and Cooke; also Representative(s) Kraft-Tharp and Landgraf--Concerning changes related to the seventy-two-hour emergency mental health procedure.
Judiciary
- SB16-170** by Senator(s) Tate, Roberts; --Concerning the purchase of insurance through the Colorado health benefit exchange for individuals who are eligible for the state medicaid program.
Health & Human Services
- HB16-1153** by Representative(s) Melton; also Senator(s) Cooke--Concerning the annual date by which the general assembly receives a report regarding outcomes of decisions made by the state board of parole.
Judiciary
- HB16-1310** by Representative(s) Salazar; also Senator(s) Carroll--Concerning liability for the conduct of oil and gas operations.
Agriculture, Natural Resources, & Energy

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

- SJR16-021** by Senator(s) Grantham; also Representative(s) Williams--Concerning recognition of "Single Parents' Day".

On motion of Senator Grantham, the resolution was read at length.

Amendment No. 1(L.001), by Senator Grantham.

Amend printed joint resolution, page 1, line 9, strike "doubled" and substitute "tripled".

Page 1, line 10, strike "20" and substitute "25".

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	E	Kerr	Y	Scheffel	Y		

On motion of Senator Grantham, the resolution, as amended, was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	E	Kerr	Y	Scheffel	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Carroll, Cooke, Crowder, Donovan, Garcia, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Steadman, Tate, Todd, Ulibarri, and Woods.

SJR16-022 by Senator(s) Baumgardner and Todd; also Representative(s) Rosenthal and Nordberg-- Concerning the designation of March 21, 2016, as "Colorado Aerospace Day".

On motion of Senator Baumgardner, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	E	Kerr	Y	Scheffel	Y		

Co-sponsor(s) added: Aguilar, Cadman, Carroll, Cooke, Crowder, Donovan, Garcia, Grantham, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Steadman, Tate, Ulibarri, and Woods.

Senate in recess. Senate reconvened.

SJR16-023 by Senator(s) Roberts and Todd; also Representative(s) Lawrence and Ginal--Concerning the recognition of National Women's History Month, and, in connection therewith, designating March as Colorado Women's History Month.

On motion of Senator Roberts, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	E	Kerr	Y	Scheffel	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Carroll, Cooke, Crowder, Donovan, Garcia, Grantham, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Newell, Scheffel, Scott, Sonnenberg, Steadman, Tate, Ulibarri, and Woods.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

**THIRD READING OF BILLS -- FINAL PASSAGE --
CONSENT CALENDAR**

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB16-1145 by Representative(s) Lebsack, Thurlow; also Senator(s) Tate, Holbert, Kefalas--Concerning the determination of the documentary fee imposed for recording a grant or conveyance of residential real property.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	E	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner and Woods.

HB16-1106 by Representative(s) Wilson; also Senator(s) Grantham and Garcia--Concerning the authority of a county to designate public roads as a section of a pioneer trail.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	E	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Donovan, Heath, Hodge, Kefalas, Kerr, Martinez Humenik, Merrifield, Newell, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB16-1272 by Representative(s) Kraft-Tharp; also Senator(s) Tate--Concerning procedures to be followed in connection with the disconnection by ordinance of land from a municipality.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	E	Kerr	Y	Scheffel	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Grantham, Heath, Kefalas, Lundberg, Marble, Neville T., Scheffel, Scott, and Woods.

Committee of the Whole On motion of Senator Sonnenberg, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Sonnenberg was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB16-1192 by Representative(s) Kagan, Dore, Foote, McCann, Willett; also Senator(s) Steadman, Johnston, Roberts, Scheffel, Scott--Concerning a nonsubstantive recodification of the sunset review provisions.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 17, page(s) 443, and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB16-1176 by Representative(s) Lebsock, Duran, DelGrosso, Joshi, Landgraf, McCann, Rosenthal, Ryden; also Senator(s) Tate, Woods, Martinez Humenik, Todd--Concerning the authority of a licensed wholesaler to establish an employee purchase program under which its employees may purchase directly from the wholesaler alcohol beverage products sold by that wholesaler.

Ordered revised and placed on the calendar for third reading and final passage.

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HB16-1157 by Representative(s) Garnett and Kraft-Tharp; also Senator(s) Tate--Concerning the establishment of a future sunset review of the functions delegated to the director of the division of professions and occupations under the "Michael Skolnik Medical Transparency Act of 2010" to implement the recommendation of the department of regulatory agencies as contained in its 2015 sunset report pertaining to the division of professions and occupations.

Ordered revised and placed on the calendar for third reading and final passage.

HB16-1189 by Representative(s) Wist; also Senator(s) Roberts--Concerning the regulation of bingo-raffle licensees.

Ordered revised and placed on the calendar for third reading and final passage.

SB16-134 by Senator(s) Heath and Garcia, Aguilar, Carroll, Donovan, Guzman, Hodge, Johnston, Jones, Kefalas, Kerr, Merrifield, Newell, Steadman, Ulibarri; also Representative(s) Danielson and Kagan--Concerning professional licensing for military veterans in certain professions.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 17, page(s) 444, and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Sonnenberg, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	E	Kerr	Y	Scheffel	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB16-134 as amended, HB16-1192 as amended, HB16-1176, HB16-1157, HB16-1189.

Committee of the Whole On motion of Senator Sonnenberg, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Sonnenberg was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB16-1149 by Representative(s) Melton; also Senator(s) Newell--Concerning a requirement that the executive board of a common interest community created in Colorado before July 1, 1992, comply with the budget reporting provision of the "Colorado Common Interest Ownership Act".

(Amended in General Orders as printed in Senate Journal, March 18, page(s) 469.)

As amended, laid over until Tuesday, March 22, retaining its place on the calendar.

HB16-1066 by Representative(s) Roupe, Carver, Lundeen; also Senator(s) Newell--Concerning an habitual domestic violence offender.

Ordered revised and placed on the calendar for third reading and final passage.

HB16-1165 by Representative(s) Becker K. and Landgraf; also Senator(s) Crowder--Concerning statutory changes based on the recommendations in the report of the 2013-2015 Colorado child support commission.

Amendment No. 1(L.009), by Senator Crowder.

Amend reengrossed bill, page 3, line 25, strike "SHALL" and substitute "MAY".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB16-1152 by Representative(s) Foote; also Senator(s) Cooke--Concerning the authority of the department of corrections to distribute medication.

Ordered revised and placed on the calendar for third reading and final passage.

SB16-149 by Senator(s) Marble and Woods, Cooke, Holbert, Lundberg, Neville T.; also Representative(s) Humphrey, Leonard, Ransom, Van Winkle--Concerning factors a court must consider in a review of an arbitrator's award in the context of a dissolution of a marriage.

Laid over until Tuesday, March 22, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Sonnenberg, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	E	Kerr	Y	Scheffel	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB16-1066, HB16-1165 as amended, HB16-1152.
Laid over until Tuesday, March 22: HB16-1149 as amended, SB16-149.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB16-055, 063, 089, 090, 091, 092, 093, 095, and 107.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, March 18, 2016, at 3:30 p.m.:
SB16-055, 063, 089, 090, 091, 092, 093, 095, and 107.

MESSAGE FROM THE GOVERNOR

March 18, 2016

Colorado Senate
Seventieth General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB16-022: CONCERNING REMOVING CERTAIN LIMITATIONS ON THE PILOT PROGRAM TO MITIGATE CLIFF EFFECT FOR LOW-INCOME FAMILIES WHO ARE WORKING AND RECEIVING CHILD CARE ASSISTANCE.

Approved March 18, 2016, at 2:05 p.m.

SB16-029: CONCERNING CHANGES TO COLORADO INSURANCE LAWS NECESSARY TO MAINTAIN ACCREDITATION WITH THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS (NAIC), AND, IN CONNECTION THEREWITH, ADOPTING A NEW OWN RISK AND SOLVENCY ASSESSMENT LAW (ORSA) IN A FORM SUBSTANTIALLY SIMILAR TO THE NAIC MODEL AND ENHANCING COLORADO'S INSURANCE HOLDING COMPANY SYSTEM LAW BY ADDING A REQUIRED NAIC MODEL PROVISION SPECIFYING THE INSURANCE COMMISSIONER'S POWER TO ISSUE SUBPOENAS AND EXAMINE WITNESSES.

Approved March 18, 2016, at 2:25 p.m.

SB16-031: CONCERNING AUTHORITY OF THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES TO SIGN VOUCHERS FOR EXPENDITURES OF THE OFFICE.

Approved March 18, 2016, at 2:06 p.m.

SB16-050: CONCERNING A HOLD HARMLESS PROVISION FOR RETAILERS LIABLE FOR ANY MONEY PAYABLE AS A RESULT OF AN INCORRECT LOCATION CODE ASSIGNED BY THE DEPARTMENT OF REVENUE.

Approved March 18, 2016, at 2:05 p.m.

SB16-066: CONCERNING CREATION OF THE CONTINGENCY RESERVE FUND FOR SCHOOL DISTRICTS.

Approved March 18, 2016, at 2:06 p.m.

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Sincerely,
(signed)
John W. Hickenlooper
Governor

Appointment Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

March 7, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2018:

Timothy LeRoy Brooks of Thornton, Colorado, a representative of the general public who is an owner or operator of a business within Colorado that employs students who are enrolled in schools that are subject to administration by the private occupational school division, and occasioned by the resignation of Jean L. Robinson of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/18/2016
Effie Ameen, Secretary of the Senate

Committee on Education

March 11, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2016:

Stella Peterson of Arvada, Colorado, to serve as a member of the public and as a Democrat, and occasioned by the resignation of Frances Ann Koncilja of Littleton, Colorado, appointed.

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Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/18/2016
Effie Ameen, Secretary of the Senate

Committee on Finance

On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Tuesday, March 22, 2016.

Approved:

Bill L. Cadman
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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