

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
Second Regular Session

104th Legislative Day

Monday, April 25, 2016

Prayer	By the chaplain, Pastor Brian Henderson, First Baptist Church, Denver.	1
Call to Order	By the President at 10:00 a.m.	2
Roll Call	Present--34 Excused--1, Carroll.	3
Quorum	The President announced a quorum present.	4
Pledge	By Senator Martinez Humenik.	5
Reading of Journal	On motion of Senator Donovan, reading of the Journal of Friday, April 22, 2016, was dispensed with, and the Journal was approved as corrected by the Secretary.	6

SENATE SERVICES REPORT

Correctly Printed: SB16-196, 197, 198, 199.
Correctly Engrossed: SB16-178 and 189; SJR-037.
Correctly Revised: HB16-1101, 1228, 1276, 1287, 1354, 1356, 1367, and 1391.
Correctly Enrolled: SB16-102; SJR16-026; SM16-001.

MESSAGE FROM THE HOUSE

Friday, April 22

Mr. President:

The House has adopted and transmits herewith HJR16-1022, as printed in House Journal, April 22, 2016.
The appointment was referred to the State, Veterans, & Military Affairs Committee.

**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:

HB16-1287 by Representative(s) Rosenthal and Wilson; also Senator(s) Cooke and Kefalas--
Concerning a requirement that the department of labor and employment study the integration of alternative training by Colorado businesses.

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

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YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	E	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.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	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: Aguilar, Baumgardner, Heath, Jones, Kerr, Martinez Humenik, Merrifield, Newell, Scheffel, Tate, and Todd.

HB16-1356 by Representative(s) Kraft-Tharp and Nordberg; also Senator(s) Jahn and Holbert-- Concerning requirements related to the satisfaction of indebtedness secured by 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	E	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	Y	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: Heath and Woods.

HB16-1228 by Representative(s) Arndt and Becker J.; also Senator(s) Donovan and Sonnenberg-- Concerning an alternative transfer mechanism for water rights that protects the agricultural use for which a water right was originally decreed while permitting renewable one-year transfers of a portion of the water subject to the water right.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	E	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	N	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	Y	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: Hodge, Jones, Kefalas, and Merrifield.

SB16-189 by Senator(s) Scott, Johnston, Roberts, Scheffel, Steadman; also Representative(s) Foote, Dore, Kagan, McCann, Willett--Concerning the nonsubstantive revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, imperfect, and inoperative law to preserve the legislative intent, effect, and meaning of the law.

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	E	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	Y	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, Hill, and Lambert.

HB16-1276 by Representative(s) Hamner and Coram; also Senator(s) Roberts and Donovan--Concerning the division of reclamation, mining, and safety's ability to conduct emergency responses at legacy hard rock mining sites.

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	E	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	Y	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, Cadman, Crowder, Heath, Johnston, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Newell, Scheffel, and Steadman.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB16-130 by Senator(s) Scott, Baumgardner, Cadman, Cooke, Crowder, Hill, Holbert, Scheffel; also Representative(s) Van Winkle--Concerning the methods used by the department of revenue to collect consumer use tax, and, in connection therewith, making an appropriation.

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

YES	18	NO	16	EXCUSED	1	ABSENT	0
Aguilar	N	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	E	Hodge	N	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	N	Merrifield	N	Todd	N
Donovan	N	Johnston	N	Neville T.	Y	Ulibarri	N
Garcia	N	Jones	N	Newell	N	Woods	Y
Grantham	Y	Kefalas	N	Roberts	Y	President	Y
Guzman	N	Kerr	N	Scheffel	Y		

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

Co-sponsor(s) added: Grantham, Lambert, Lundberg, Marble, Neville T., Sonnenberg, and Woods.

SB16-117 by Senator(s) Sonnenberg; also Representative(s) Coram--Concerning a limitation on a state agency's authority to impose a fine, and, in connection therewith, making an appropriation.

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

YES	18	NO	16	EXCUSED	1	ABSENT	0
Aguilar	N	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	E	Hodge	N	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	N	Merrifield	N	Todd	N
Donovan	N	Johnston	N	Neville T.	Y	Ulibarri	N
Garcia	N	Jones	N	Newell	N	Woods	Y
Grantham	Y	Kefalas	N	Roberts	Y	President	Y
Guzman	N	Kerr	N	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, Cadman, Cooke, Crowder, Grantham, Holbert, Lambert, Lundberg, Marble, Neville T., Scheffel, Scott, and Woods.

SB16-174 by Senator(s) Sonnenberg; also Representative(s) Vigil and Coram--Concerning the funding of Colorado water conservation board projects, and, in connection therewith, making appropriations.

A majority of those elected to the Senate having voted in the affirmative, Senator Kerr was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.004), by Senator Kerr.

Amend engrossed bill, page 5, strike line 27.

Page 6, strike lines 1 through 13.

Renumber succeeding sections accordingly.

The amendment **lost** on the following roll call vote:

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YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	N
Baumgardner	N	Hill	N	Lundberg	N	Sonnenberg	N
Carroll	E	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	Holbert	N	Martinez Humenik	N	Tate	N
Crowder	N	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	N	Kefalas	Y	Roberts	N	President	N
Guzman	Y	Kerr	Y	Scheffel	N		

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	E	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	N
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	N	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, Cadman, Cooke, Crowder, Garcia, Grantham, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Roberts, and Scheffel.

SB16-178 by Senator(s) Lambert and Kefalas, Grantham, Steadman, Baumgardner; also Representative(s) Young and Brown, Hamner, Rankin, Vigil, Becker K., Esgar-- Concerning the Grand Junction regional center campus.

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	E	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	Y	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: Aguilar, Cadman, Guzman, Heath, Hodge, Jahn, Lundberg, Marble, Merrifield, Neville T., Scheffel, Todd, Ulibarri, and Woods.

HB16-1101 by Representative(s) Young; also Senator(s) Lundberg--Concerning medical decisions for unrepresented patients.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	E	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.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	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: Aguilar, Crowder, Guzman, Heath, Hodge, Jahn, Kefalas, Kerr, Merrifield, Newell, Steadman, and Todd.

HB16-1354 by Representative(s) Mitsch Bush and Becker J., Moreno, Becker K., Fields, Wilson; also Senator(s) Sonnenberg--Concerning authorization for a school district to impose an additional mill levy for the sole purpose of funding capital construction, new technology, existing technology upgrade, and maintenance needs of the district without borrowing money.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	E	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.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	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, Guzman, Heath, Jones, Kefalas, Kerr, Merrifield, Scott, and Todd.

HB16-1367 by Representative(s) Hamner and Rankin; also Senator(s) Hodge and Marble--Concerning the re-categorization of certain counties for the purpose of determining salaries paid to county officers in those counties.

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

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	N
Baumgardner	Y	Hill	N	Lundberg	Y	Sonnenberg	Y
Carroll	E	Hodge	Y	Marble	Y	Steadman	Y
Cooke	N	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	N	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	N	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

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

HB16-1391 by Representative(s) Pabon, McCann, Moreno, Salazar; also Senator(s) Lundberg--
Concerning a prohibition against nonattorneys providing legal services related to
immigration matters.

A majority of those elected to the Senate having voted in the affirmative, Senator Ulibarri
was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.002), by Senator Ulibarri.

Amend revised bill, page 6, after line 7 insert:

"SECTION 2. In Colorado Revised Statutes, 12-55-110.3,
amend (1) (a), (3) (b) (IV), and (3) (b) (V); and **add** (3) (b) (VI) as
follows:

**12-55-110.3. Advertisements for services - unauthorized
practice of law - prohibited conduct - penalties.** (1) (a) A notary
public who is not a licensed attorney in the state of Colorado and who
advertises, including by signage, his or her services in a language other
than English shall include in the advertisement the following notice, both
in English and in the language of the advertisement:

I AM NOT AN ATTORNEY LICENSED TO PRACTICE
LAW IN THE STATE OF COLORADO AND I MAY
NOT GIVE LEGAL ADVICE OR ACCEPT FEES FOR
LEGAL ADVICE. I AM NOT AN IMMIGRATION
CONSULTANT, NOR AM I AN EXPERT ON IMMIGRATION
MATTERS.

IF YOU SUSPECT FRAUD, YOU MAY CONTACT THE
COLORADO ATTORNEY GENERAL'S OFFICE OR THE
COLORADO SUPREME COURT.

(3) (b) A notary public who is not an attorney licensed to practice
law in Colorado is prohibited from:

(IV) Soliciting or accepting compensation to obtain relief of any
kind on behalf of another from any officer, agency, or employee of the
state of Colorado or of the United States; ~~or~~

(V) Using the phrase "notario" or "notario publico" to advertise
the services of a notary public, whether by sign, pamphlet, stationery, or
other written communication or by radio, television, or other nonwritten
communication; OR

(VI) ENGAGING IN CONDUCT THAT CONSTITUTES A DECEPTIVE
TRADE PRACTICE PURSUANT TO SECTION 6-1-726, C.R.S."

Renumber succeeding sections accordingly.

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

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	N
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	N
Carroll	E	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	Holbert	N	Martinez Humenik	Y	Tate	N
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	N	Kefalas	Y	Roberts	Y	President	N
Guzman	Y	Kerr	Y	Scheffel	Y		

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	Y
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	N
Carroll	E	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	Holbert	N	Martinez Humenik	Y	Tate	N
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

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

Co-sponsor(s) added: Aguilar, Heath, Kefalas, Martinez Humenik, Merrifield, Newell, Roberts, Steadman, and Ulibarri.

Committee of the Whole On motion of Senator Woods, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Woods 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:

SB16-150 by Senator(s) Steadman; also Representative(s) Esgar--Concerning marriages by individuals who are parties to a civil union, and, in connection therewith, prohibiting marriages in circumstances in which one of the parties is already in a civil union with another individual, addressing the legal effect of parties to a civil union marrying each other, clarifying the dissolution process when parties to a civil union marry, and amending the bigamy statute to include parties to a civil union.

Laid over until Wednesday, April 27, retaining its place on the calendar.

SB16-162 by Senator(s) Tate, Jahn; also Representative(s) Melton and Sias, Lawrence, Priola, Singer, Thurlow--Concerning access by medicaid recipients to nonenrolled medical providers.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 14, page(s) 713, and placed in members' bill files.)

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

SB16-183 by Senator(s) Scheffel and Kerr; also Representative(s) Williams and Lawrence--Concerning a clarification of the general assembly's intent to maintain the public utilities commission's authority over basic emergency services while prohibiting the regulation of internet-protocol-enabled services by defining the term "basic emergency service" in a manner that is consistent with such intent.

Laid over until Tuesday, April 26, retaining its place on the calendar.

SB16-086 by Senator(s) Neville T., Marble, Holbert, Baumgardner, Woods; also Representative(s) Neville P., Saine, Everett, Humphrey--Concerning the elimination of the cap on the state income tax deduction for retirement benefits.

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

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- SB16-097** by Senator(s) Scott, Baumgardner, Cooke; also Representative(s) Coram--Concerning measures to ensure that revenue related to the severance of minerals in the state is used in areas most impacted by the severance. 1
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- Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. 5
(Printed in Senate Journal, March 18, page(s) 462, and placed in members' bill files.) 6
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- As amended, ordered engrossed and placed on the calendar for third reading and final passage. 8
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- SB16-005** by Senator(s) Marble, Merrifield, Neville T., Woods; also Representative(s) Saine, Ransom--Concerning prohibiting the administration of statewide assessments to students enrolled in ninth grade. 11
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- Amendment No. 1, Education Committee Amendment. 16
(Printed in Senate Journal, March 29, page(s) 551-552, and placed in members' bill files.) 17
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- Amendment No. 2(L.012), by Senator Marble. 19
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- Amend the Education Committee Report, dated March 24, 2016, page 1, line 13, strike "GRADE." and substitute "GRADE." ". 21
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- Page 1, strike lines 14 through 25. 24
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- Page 2, strike lines 1 through 35. 26
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- Page 2, strike line 37. 28
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- As amended, **lost** on second reading. 31
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- SB16-002** by Senator(s) Lundberg; also Representative(s) Sias--Concerning the submission to the voters of a ballot question regarding whether the Colorado health benefit exchange can impose a tax to support its operations. 34
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- Ordered engrossed and placed on the calendar for third reading and final passage. 38
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- SB16-154** by Senator(s) Lundberg, Marble, Neville T., Baumgardner, Grantham, Scheffel, Woods; -- Concerning the creation of income tax credits for nonpublic education. 41
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- Ordered engrossed and placed on the calendar for third reading and final passage. 44
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- SB16-185** by Senator(s) Scott; also Representative(s) Melton--Concerning the allowable finance charge for certain consumer credit transactions. 47
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- Ordered engrossed and placed on the calendar for third reading and final passage. 50
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- HB16-1309** by Representative(s) Lontine; also Senator(s) Marble--Concerning a defendant's right to counsel in certain cases considered by municipal courts. 53
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- Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. 56
(Printed in Senate Journal, April 14, page(s) 715, and placed in members' bill files.) 57
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- Amendment No. 2, Finance Committee Amendment. 59
(Printed in Senate Journal, April 20, page(s) 793, and placed in members' bill files.) 60
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- Amendment No. 3(L.006), by Senator Johnston. 62
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- Amend reengrossed bill, page 3, strike lines 11 through 20 and substitute: 64
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- "SECTION 4. Act subject to petition - effective date.** This act takes effect May 1, 2017; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take 66
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effect on May 1, 2017, or on the date of the official declaration of the vote thereon by the governor, whichever is later.".

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

SB16-181 by Senator(s) Woods and Jahn, Aguilar, Carroll, Cooke, Guzman, Hill, Kerr, Lundberg, Marble, Martinez Humenik, Newell, Scheffel, Steadman, Todd; also Representative(s) Kagan and Dore, Garnett, Wist--Concerning the sentencing of persons convicted of class 1 felonies committed while the persons were juveniles.

Laid over until Friday, April 29, retaining its place on the calendar.

SCR16-006 by Senator(s) Ulibarri; also Representative(s) Melton and Salazar--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning the removal of the exception to the prohibition of slavery and involuntary servitude when used as punishment for persons duly convicted of a crime.

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

HB16-1377 by Representative(s) Primavera, Joshi, Coram, Landgraf, McCann, Moreno, Tyler; also Senator(s) Lambert--Concerning the creation of a task force on the collection and security of digital images of evidence of child abuse or neglect.

Laid over until Tuesday, April 26, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Woods, 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	E	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	Y	Kerr	Y	Scheffel	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB16-162 as amended, SB16-086, SB16-097 as amended, SB16-002, SB16-154, SB16-185, SCR16-006, HB16-1309 as amended.

Lost on second reading: SB16-005 as amended.

Laid over until Tuesday, April 26: SB16-183, HB16-1377.

Laid over until Wednesday, April 27: SB16-150.

Laid over until Friday, April 29: SB16-181.

MESSAGE FROM THE HOUSE

April 25, 2016

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes
 HB16-1386, amended as printed in House Journal, April 22.
 HB16-1434, amended as printed in House Journal, April 22.
 HB16-1274, amended as printed in House Journal, April 22.
 HB16-1322, amended as printed in House Journal, April 22.
 HB16-1432, amended as printed in House Journal, April 22.
 HB16-1257, amended as printed in House Journal, April 22.
 HB16-1425, amended as printed in House Journal, April 22.
 HB16-1404, amended as printed in House Journal, April 22.
 HB16-1324, amended as printed in House Journal, April 22.
 HB16-1332, amended as printed in House Journal, April 22.
 HB16-1304, amended as printed in House Journal, April 22.
 HB16-1288, amended as printed in House Journal, April 22.
 HB16-1175, amended as printed in House Journal, April 22.
 HB16-1167, amended as printed in House Journal, April 22.
 HB16-1079, amended as printed in House Journal, April 22.

The House has passed on Third Reading and returns herewith SB16-134, 172,
 166, 171, 030.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
 SB16-021, amended as printed in House Journal, April 22.
 SB16-065, amended as printed in House Journal, April 22.
 SB16-158, amended as printed in House Journal, April 22.
 SB16-062, amended as printed in House Journal, April 22.

The House has voted to concur in the Senate amendments to HB16-1336 and has repassed
 the bill as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

April 25, 2016

We herewith transmit:

Without comment, as amended, HB16-1167, 1175, 1257, 1274, 1288, 1304, 1322, 1324,
 1332, 1386, 1404, 1425, 1432, and 1434.
 Without comment, as amended, SB16-021, 062, 065, and 158.
 With comment, as amended, HB16-1079.

On motion of Majority Leader Scheffel, and with a two-thirds majority of those elected to
 the Senate having voted in the affirmative, SB16-140, HB16-1014, HB16-1232,
 SB16-056, SB16-191, and SB16-192 were made Special Orders at 1:24 p.m.

- Committee of the Whole The hour of 1:24 p.m. having arrived, Senator Woods moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills -- Consent Calendar, and Senator Woods was called to act as Chair. 1
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- SPECIAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR** 5
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- 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: 8
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- SB16-140** by Senator(s) Sonnenberg; also Representative(s) Kraft-Tharp--Concerning certificates of title issued for motor vehicles purchased from motor vehicle dealers. 12
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Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, April 22, page(s) 821-822, and placed in members' bill files.) 16
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As amended, ordered engrossed and placed on the calendar for third reading and final passage. 18
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- HB16-1014** by Representative(s) Williams; also Senator(s) Tate--Concerning the creation of the business intelligence center program within the department of state. 22
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Ordered revised and placed on the calendar for third reading and final passage. 26
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- HB16-1232** by Representative(s) Kraft-Tharp, Wist; also Senator(s) Baumgardner--Concerning continuation of the authority of the executive director of the department of revenue to issue written responses upon the request of a taxpayer. 29
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Ordered revised and placed on the calendar for third reading and final passage. 33
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- SB16-056** by Senator(s) Lambert; --Concerning broadening protections of the state whistleblower protection law for state employees who disclose confidential information to certain state entities that have legal requirements to preserve the confidentiality of the information disclosed. 36
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Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 12, page(s) 692-694, and placed in members' bill files.) 41
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Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 22, page(s) 826, and placed in members' bill files.) 44
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As amended, ordered engrossed and placed on the calendar for third reading and final passage. 47
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- SB16-191** by Senator(s) Steadman, Grantham, Lambert; also Representative(s) Rankin, Hamner, Young--Concerning marijuana research funded by the marijuana tax cash fund, and, in connection therewith, making an appropriation. 51
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Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 22, page(s) 826, and placed in members' bill files.) 55
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As amended, ordered engrossed and placed on the calendar for third reading and final passage. 58
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- SB16-192** by Senator(s) Lambert, Grantham, Steadman; also Representative(s) Young, Hamner, Rankin--Concerning a needs assessment tool for persons eligible for long-term services and supports, including persons with intellectual and developmental disabilities. 62
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Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 22, page(s) 826-827, and placed in members' bill files.) 66
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As amended, ordered engrossed and placed on the calendar for third reading and final passage. 69
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**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR**

On motion of Senator Woods, 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	E	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	Y	Kerr	Y	Scheffel	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB16-140 as amended, SB16-056 as amended, SB16-191 as amended, SB16-192 as amended, HB16-1014, HB16-1232.

On motion of Majority Leader Scheffel, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB16-1360, SB16-170, SB16-120, HB16-1006, and SB16-190 were made Special Orders at 1:30 p.m.

Committee of the Whole

The hour of 1:30 p.m. having arrived, Senator Woods moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Woods was called to act as Chair.

SPECIAL 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:

HB16-1360 by Representative(s) Landgraf and Lontine, Esgar, Ginal; also Senator(s) Lundberg-- Concerning the continuation of the regulation of direct-entry midwives by the director of the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the recommendations contained in the sunset report prepared by the department.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 22, page(s) 822-823, and placed in members' bill files.)

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

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.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 14, page(s) 714, and placed in members' bill files.)

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

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SB16-120 by Senator(s) Roberts; also Representative(s) Coram--Concerning providing an explanation of benefits to medicaid recipients for purposes of discovering potential medicaid fraud.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 19, page(s) 233, and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 22, page(s) 825, and placed in members' bill files.)

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

HB16-1006 by Representative(s) Becker K. and Garnett; also Senator(s) Hill--Concerning clarification of the scope of the exemption from government charges for property owned by or leased to a housing authority or owned by, leased to, or under construction by an entity that is wholly owned by an authority, an entity in which an authority has an ownership interest, or an entity in which an entity wholly owned by an authority or of which an authority is the sole member has an ownership interest.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 1, page(s) 591, and placed in members' bill files.)

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

SB16-190 by Senator(s) Steadman, Grantham, Lambert; also Representative(s) Rankin, Hamner, Young--Concerning improving the process for county administration of public assistance programs, and, in connection therewith, making and reducing appropriations.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Woods, 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	E	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	Y	Kerr	Y	Scheffel	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB16-170 as amended, SB16-120 as amended, SB16-190, HB16-1360 as amended, HB16-1006 as amended.

CONSIDERATION OF RESOLUTIONS

SJR16-035 by Senator(s) Lambert and Merrifield; also Representative(s) Carver and Lee, Joshi, Klingenschmitt, Landgraf, Lundeen, Nordberg, Roupe--Concerning the commemoration of the Buffalo Soldiers and the designation of a portion of United States Highway 24 from Mile Marker 308 to Mile Marker 298 as the "Buffalo Soldiers Memorial Highway".

Laid over until Tuesday, April 26, retaining its place on the calendar.

HJR16-1018 by Representative(s) Esgar and Vigil; also Senator(s) Garcia--Concerning the support for goods produced in Colorado and other states in the United States.

Laid over until Wednesday, April 27, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB16-041 by Senator(s) Baumgardner; also Representative(s) Pabon--Concerning data collected by the division of criminal justice in the department of public safety concerning the study of marijuana implementation.

Senator Baumgardner moved that the Senate concur in House amendments to SB16-041, as printed in House journal, April 21, page(s) 959. The motion 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	E	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	Y	Kerr	Y	Scheffel	Y		

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	E	Hodge	Y	Marble	Y	Steadman	N
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	N	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

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

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, April 25 was laid over until Tuesday, April 26, retaining its place on the calendar.

Consideration of House Adherence: HB16-1183.

Consideration of Governor's Appointments:

Members of the Board of Governors of the Colorado State University System.

Consideration of Conference Committee Reports: HB16-1231.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB16-1158, 1159, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1413, 1414, 1417, 1418, 1419; HJR16-1011, 1012, 1016, 1017.

Senate in recess.

Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

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

- HB16-1079** by Representative(s) Becker K. and Singer; also Senator(s) Steadman--Concerning a certification program for cannabis that is pesticide-free, and, in connection therewith, making an appropriation.
Business, Labor, & Technology
- HB16-1167** by Representative(s) Winter and Pettersen, Becker K., Danielson, Esgar, Fields, Garnett, Ginal, Hamner, Kagan, Lebsock, Melton, Pabon, Primavera, Tyler; also Senator(s) Todd and Donovan--Concerning the creation of the "Colorado Family First Employer Act", and, in connection therewith, establishing a program that recognizes Colorado employers that meet certain family-friendly requirements, and making an appropriation.
State, Veterans, & Military Affairs
Business, Labor, & Technology
Appropriations
- HB16-1175** by Representative(s) Primavera and Nordberg, Ryden, Saine; also Senator(s) Jahn and Neville T., Cooke, Heath--Concerning the administration of the property tax exemptions for qualifying seniors and disabled veterans, and, in connection therewith, making an appropriation.
Finance
Appropriations
- HB16-1257** by Representative(s) McCann, Foote, Kagan; also Senator(s) Scheffel, Johnston, Steadman--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.
Legal Services
- HB16-1274** by Representative(s) Singer, Becker K., Esgar, Fields, Garnett, Lontine, Melton, Mitsch Bush, Primavera, Ryden, Salazar, Tyler, Vigil; also Senator(s) Ulibarri, Aguilar, Guzman, Heath, Hodge, Jones, Merrifield, Steadman--Concerning the issuance of identification documents to individuals who cannot demonstrate lawful presence in the United States, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs
- HB16-1288** by Representative(s) Kraft-Tharp and Wist; also Senator(s) Tate and Merrifield--Concerning the creation of an industry infrastructure grant program within the state work force development council, and, in connection therewith, creating the industry infrastructure fund and making an appropriation.
Business, Labor, & Technology
- HB16-1304** by Representative(s) Tyler, Coram, Becker J., Mitsch Bush, Ryden; also Senator(s) Heath--Concerning community conversations on transportation priorities and preferred funding options.
State, Veterans, & Military Affairs
- HB16-1324** by Representative(s) Ginal, McCann, Arndt, Becker K., Brown, Coram, Dore, Lebsock, Vigil, Court, Primavera; also Senator(s) Sonnenberg, Garcia--Concerning the availability of compounded pharmaceutical drugs for use by a veterinarian to treat a patient's emergency condition, and, in connection therewith, making an appropriation.
Agriculture, Natural Resources, & Energy

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HB16-1332 by Representative(s) Duran and Rankin; also Senator(s) Scott and Johnston--Concerning modifications to the income tax credits for alternative fuel motor vehicles, and, in connection therewith, fixing specified dollar amounts for the credits, allowing the credit to be assigned to a financing entity, requiring vehicle identification number tracking of the motor vehicle for which a credit is claimed, and making an appropriation.
 Finance
 Appropriations

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HB16-1386 by Representative(s) Kraft-Tharp; also Senator(s) Steadman--Concerning a program to cover vulnerable populations' costs of acquiring necessary documents, and, in connection therewith, making an appropriation.
 State, Veterans, & Military Affairs

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HB16-1425 by Representative(s) Hamner; also Senator(s) Roberts--Concerning the requirement for a licensed child care center to obtain records for a child enrolled in the center on a short-term basis.
 Health & Human Services

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HB16-1432 by Representative(s) Winter; also Senator(s) Kerr--Concerning the rights of private sector employees to inspect their personnel files.
 Business, Labor, & Technology

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On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Tuesday, April 26, 2016.

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Approved:

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Bill L. Cadman
President of the Senate

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Attest:

Effie Ameen
Secretary of the Senate

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