

**SENATE JOURNAL**  
Seventieth General Assembly  
**STATE OF COLORADO**  
Second Regular Session

---

78th Legislative Day

Wednesday, March 30, 2016

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Prayer	By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.	11
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Musical	By In the Stairway, an all-male a capella choir representing the United States Air Force	13
Presentation	Academy, performing "The Star-spangled Banner", "Hard Times", "Drag Me Down", and	14
	"The Longest Time".	15
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Call to	By the President at 9:00 a.m.	17
Order		18
		19
Roll Call	Present--35	20
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Quorum	The President announced a quorum present.	22
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Pledge	By Senator Sonnenberg.	24
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Reading of	On motion of Senator Garcia, reading of the Journal of Tuesday, March 29, 2016, was	26
Journal	dispensed with, and the Journal was approved as corrected by the Secretary.	27
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**COMMITTEE OF REFERENCE REPORTS**

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Local	After consideration on the merits, the Committee recommends that <b>HB16-1088</b> be	34
Government	<b>amended</b> as follows, and as so amended, be referred to the Committee of the Whole with	35
	favorable recommendation.	36
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		38
	Amend reengrossed bill, page 3, strike line 9.	39
		40
	Page 3, line 10, strike "(I)" and substitute "(b)".	41
		42
	Page 3, line 12, strike "THE" and substitute "A".	43
		44
	Page 3, line 16, strike "PROVIDER; AND" and substitute "PROVIDER."	45
		46
	Page 3, line 17, strike "(II) THE" and substitute "(c) IF A LOCAL	47
	GOVERNMENT, IN ITS SOLE DISCRETION, ELECTS TO IMPOSE AN IMPACT FEE	48
	OR OTHER SIMILAR DEVELOPMENT CHARGE TO FUND THE EXPENDITURES	49
	BY A FIRE AND EMERGENCY SERVICES PROVIDER FOR A CAPITAL FACILITY,	50
	THEN THE".	51
		52
	Page 3, line 19, strike "SUCH FEES OR OTHER SIMILAR DEVELOPMENT	53
	CHARGES" and substitute "THE IMPACT FEE OR OTHER SIMILAR	54
	DEVELOPMENT CHARGE".	55
		56
	Page 3, line 21, strike "(c)" and substitute "(d)".	57
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		59
Local	After consideration on the merits, the Committee recommends that <b>SB16-168</b> be <b>amended</b>	60
Government	as follows, and as so amended, be referred to the Committee of the Whole with favorable	61
	recommendation and with a recommendation that it be placed on the Consent Calendar.	62
		63
	Amend printed bill, page 3, line 5, strike "IN THIS STATE" and after "to"	64
	insert "OPERATE AN AIRPORT IN THIS STATE AND".	65
		66
	Page 7, line 24, after "AIRPORT" insert "IN THIS STATE".	67

Local Government After consideration on the merits, the Committee recommends that **SB16-171** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Finance The Committee on Finance has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE FINANCIAL SERVICES BOARD

for terms expiring July 1, 2019:

Rainy Lorraine Lea Thoen of Denver, Colorado, to serve as an executive officer of a state credit union and as a Democrat, reappointed;

Gerald Alan Agnes of Boulder, Colorado, to serve as an executive officer of a state credit union and as a Republican, appointed.

Finance The Committee on Finance has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE PUBLIC EMPLOYEES' RETIREMENT BENEFIT PLANS

for a term expiring July 10, 2016:

Roger P. Johnson, CPA, of Denver, Colorado, to serve as a representative with experience and competence in investment, management, finance, banking, economics, accounting, pension administration, or actuarial analysis, and as an Republican, and occasioned by the resignation of Benjamin H. Valore-Caplan of Denver, Colorado, appointed.

Finance After consideration on the merits, the Committee recommends that **SB16-165** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Finance After consideration on the merits, the Committee recommends that **SB16-075** be postponed indefinitely.

Trans- portation After consideration on the merits, the Committee recommends that **HB16-1060** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Finance After consideration on the merits, the Committee recommends that **SB16-166** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 3, line 13, strike "FILE" and substitute "RECORD".

Page 3, line 22, after the period add "THE STATEMENT REQUIRED BY THIS SECTION MUST INCLUDE THE NAME OF THE DISTRIBUTOR, THE NAME OF THE RETAILER OR OTHER COMMERCIAL USER, AND THE PHYSICAL ADDRESS OF THE RETAILER OR OTHER COMMERCIAL USER IN THE COUNTY WHERE THE RETAILER OR OTHER COMMERCIAL USER IS LOCATED. THE STATEMENT MUST ALSO INCLUDE THE NAME AND PHYSICAL ADDRESS OF ANY OTHER PERSON, IF ANY, AGAINST WHOSE PROPERTY THE LIEN IS FILED

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AND A DESCRIPTION OF THE PROPERTY TO BE CHARGED WITH THE LIEN.".

Page 3, strike lines 23 through 27.

Page 4, strike lines 1 through 3.

Renumber succeeding C.R.S. sections accordingly.

Business,  
Labor, &  
Technology

After consideration on the merits, the Committee recommends that **HB16-1306** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 3, line 27, strike "AND" and substitute "OR".

Business,  
Labor, &  
Technology

After consideration on the merits, the Committee recommends that **HB16-1323** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

**SENATE SERVICES REPORT**

- Correctly Printed:** SB16-176.
- Correctly Engrossed:** SB16-137; SJR16-020.
- Correctly Reengrossed:** SB16-157.
- Correctly Revised:** HB16-1100, 1173, 1183, 1198, 1255, 1258, 1259, and 1316.
- Correctly Rerevised:** HB16-1169, 1187, 1231, 1269, and 1297.
- Correctly Enrolled:** SB16-013, 051, 068, 099, 110, 122, and 125.

**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:

**SB16-137**

by Senator(s) Johnston and Sonnenberg; also Representative(s) Dore--Concerning a clarification of the authority of the parks and wildlife commission to enter into an agreement with a private landowner.

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

YES	35	NO	0	EXCUSED	0	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	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, Carroll, Crowder, Donovan, Heath, Holbert, Kefalas, Merrifield, Roberts, Scott, Todd, and Woods.

**HB16-1258** by Representative(s) Melton, Salazar; also Senator(s) Lundberg--Concerning the posting by court clerks of process when a respondent is served by publication.

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

YES	35	NO	0	EXCUSED	0	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	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: Woods.

**HB16-1259** by Representative(s) Mitsch Bush and Wilson, Hamner, Rankin; also Senator(s) Cooke and Donovan--Concerning local district junior colleges, and, in connection therewith, changing the term local district junior college to local district college.

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

YES	35	NO	0	EXCUSED	0	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	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, Johnston, Merrifield, Newell, Todd, and Woods.

**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:

**HB16-1173** by Representative(s) Mitsch Bush, Arndt, Brown, Danielson, Ginal, Lebsock; also Senator(s) Scott--Concerning the continuation of the regulation of vessels by the department of natural resources.

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	Y	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	N
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: Jones and Newell.

**HB16-1316** by Representative(s) Rosenthal; also Senator(s) Cooke--Concerning the procedures for changing venue for proceedings relating to a child placed in the legal custody of a county department of social or human services.

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

YES	35	NO	0	EXCUSED	0	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	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, Jahn, Kefalas, Lambert, Martinez Humenik, Merrifield, Newell, Steadman, Tate, Todd, and Woods.

**HB16-1255** by Representative(s) Coram and Vigil; also Senator(s) Baumgardner--Concerning additional methods to manage forests to secure favorable conditions for water supply.

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

YES	35	NO	0	EXCUSED	0	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	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: Cooke, Crowder, Grantham, Jones, Lambert, Lundberg, Marble, Neville T., Roberts, Scheffel, Scott, Sonnenberg, and Woods.

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

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

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	Y
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	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	N
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, Carroll, Crowder, Donovan, Garcia, Guzman, Heath, Hill, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, Merrifield, Newell, Roberts, Steadman, Todd, and Ulibarri.

**HB16-1198** by Representative(s) Pabon and Wilson, Arndt; also Senator(s) Tate and Kerr--Concerning computer science courses fulfilling certain graduation requirements.

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	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: Carroll, Guzman, Heath, Jones, Kefalas, Newell, Todd, and Ulibarri.

**HB16-1183** by Representative(s) Buckner; also Senator(s) Crowder--Concerning aligning changes made to the federal child care and development block grant reauthorization of 2014 to the Colorado child care assistance program.

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	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: Carroll, Hodge, Kefalas, Merrifield, Newell, Steadman, Todd, and Ulibarri.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB16-147) of Wednesday, March 30 was laid over until Thursday, March 31, retaining its place on the calendar.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of House Amendments to Senate Bills Calendar (SB16-126) of Wednesday, March 30 was laid over until Thursday, March 31, retaining its place on the calendar.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS --  
CONSENT CALENDAR**

On motion of Majority Leader Scheffel, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE  
COLORADO HEALTH FACILITIES AUTHORITY  
BOARD OF DIRECTORS

effective June 30, 2015, for terms expiring June 30, 2019:

Lanny Martin Proffer of Denver, Colorado, a Democrat, appointed;

John Lester Vigil of Pueblo, Colorado, an Unaffiliated, reappointed.

YES	35	NO	0	EXCUSED	0	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	Y	Kerr	Y	Scheffel	Y		

MEMBERS OF THE  
BOARD OF TRUSTEES OF METROPOLITAN  
STATE UNIVERSITY OF DENVER

for terms expiring December 31, 2019:

Elaine Gantz Berman of Denver, Colorado, to serve as a Democrat, reappointed;

Walter Louis Isenberg of Denver, Colorado, to serve as a Democrat, reappointed.

YES	35	NO	0	EXCUSED	0	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	Y	Kerr	Y	Scheffel	Y		

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Governor's Appointments Calendar (Member of the Board of Governors of the Colorado State University System) of Wednesday, March 30 was laid over until Thursday, March 31, retaining its place on the calendar.

On motion of Majority Leader Scheffel, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB16-1271, SB16-153, HB16-1027, HB16-1262, HB16-1265, and HB16-1353 were made Special Orders at 9:45 a.m.

Senate in recess. Senate reconvened.

Committee of the Whole The hour of 9:45 a.m. having arrived, Senator Cooke 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 Cooke was called to act as Chair.

**SPECIAL 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:

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

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

**SB16-153** by Senator(s) Crowder; also Representative(s) Wilson--Concerning nominees for county court judges.

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

**HB16-1027** by Representative(s) Danielson; also Senator(s) Todd and Sonnenberg--Concerning depositions in criminal cases in which an at-risk person may not be available for trial.

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

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**HB16-1262** by Representative(s) Williams, Esgar, Melton, Salazar; also Senator(s) Cooke--Concerning measures to improve peace officer hiring, and, in connection therewith, requiring employment waivers as part of the background check process for a person applying for a position as a peace officer who has worked as an officer and giving the P.O.S.T. board the authority to deny certification to an applicant who entered into a deferred agreement.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, March 29, page(s) 537, and placed in members' bill files.)

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

**HB16-1265** by Representative(s) Melton and Esgar, Salazar; also Senator(s) Johnston and Cooke--Concerning expungement of arrest records based on mistaken identity.

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

**HB16-1353** by Representative(s) Duran and DelGrosso, Hullinghorst; also Senator(s) Scheffel and Guzman, Cadman--Concerning payment of expenses of the legislative department.

Ordered revised 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 Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	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	Y	Kerr	Y	Scheffel	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB16-153, HB16-1271, HB16-1027, HB16-1262 as amended, HB16-1265, HB16-1353.

On motion of Majority Leader Scheffel, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB16-1215, HB16-1224, HB16-1263, HB16-1264, and SB16-160 were made Special Orders at 9:45 a.m.

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

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

Amendment No. 1, Judiciary Committee Amendment.  
(Printed in Senate Journal, March 29, page(s) 536-537, and placed in members' bill files.)

Amendment No. 2(L.013), by Senator Woods.

Amend the Senate Judiciary Committee Report, dated March 28, 2016, page 1, line 4, strike "REQUIRED TO," and substitute "REQUIRED, TO".

Page 1, strike line 5 and substitute "FOR THE ABUSE OR NEGLECT OR TO PREPARE AN INVESTIGATIVE REPORT PURSUANT TO PARAGRAPH (a) OF SUBSECTION (5.3) OF THIS SECTION. IF A COUNTY".

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

(For further action, see amendments to the report of the Committee of the Whole.)

**HB16-1215** by Representative(s) McCann and Kagan, Court, Foote, Lawrence, Lee, Melton, Pettersen, Salazar, Sias, Willett; also Senator(s) Guzman--Concerning changing the statutory purposes of parole to successfully reintegrate parolees into society by providing enhanced supportive services.

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

**HB16-1263** by Representative(s) Williams, Salazar, Becker K., Buckner, Danielson, Duran, Esgar, Garnett, Hullinghorst, Kagan, Lee, McCann, Melton, Moreno, Pettersen, Rosenthal, Vigil, Winter; also Senator(s) Ulibarri--Concerning updates to the statutory prohibition on profiling by peace officers.

Amendment No. 1, Judiciary Committee Amendment.  
(Printed in Senate Journal, March 29, page(s) 538, and placed in members' bill files.)

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

**SB16-160** by Senator(s) Lambert, Baumgardner, Grantham, Lundberg; also Representative(s) Lundeen--Concerning a clarification of the status of state police power jurisdiction on federally managed lands to address issues that affect the public safety of the residents of the state.

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

**HB16-1264** by Representative(s) Melton, Esgar, Salazar, Williams; also Senator(s) Johnston-- Concerning prohibiting the use of a chokehold by a peace officer.

Amendment No. 1, Judiciary Committee Amendment.  
(Printed in Senate Journal, March 29, page(s) 538, and placed in members' bill files.)

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

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**AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE**

Senator Woods moved to amend the Report of the Committee of the Whole to show that the following amendment to HB16-1224 did pass.

Amend the Woods floor amendment (HB1224\_L.013), page 1, strike lines 1 and 2.

Page 1 of the amendment, line 3, strike "Page" and substitute "Amend the Senate Judiciary Committee Report, dated March 28, 2016, page".

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	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	Y	Kerr	Y	Scheffel	Y		

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

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

YES	35	NO	0	EXCUSED	0	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	Y	Kerr	Y	Scheffel	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB16-160, HB16-1224 as amended, HB16-1215, HB16-1263 as amended, HB16-1264 as amended.

Senate in recess. Senate reconvened.

**COMMITTEE OF REFERENCE REPORTS**

Agriculture,  
Natural  
Resources, &  
Energy

After consideration on the merits, the Committee recommends that **HB16-1004** be **postponed indefinitely**.

Agriculture,  
Natural  
Resources, &  
Energy

After consideration on the merits, the Committee recommends that **HB16-1005** be **referred** to the Committee of the Whole with favorable recommendation.

Agriculture,  
Natural  
Resources, &  
Energy

After consideration on the merits, the Committee recommends that **HB16-1109** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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**INTRODUCTION OF MEMORIALS**

The following memorial was read by title:

**SM16-001** by Senator(s) Roberts; --Memorializing former State Senator James "Jim" Isgar.  
Laid over until Monday, April 4, retaining its place on the calendar.

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**INTRODUCTION OF RESOLUTIONS**

The following resolutions were read by title:

**SJR16-025** by Senator(s) Newell; also Representative(s) Singer--Concerning the designation of April 2016 as "Child Abuse Prevention Month".  
Laid over until Monday, April 4, retaining its place on the calendar.

**SJR16-026** by Senator(s) Scheffel and Garcia; also Representative(s) Lawrence and McCann--  
Concerning the designation of "First Responder Appreciation Day".  
Laid over until Friday, April 1, retaining its place on the calendar.

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**INTRODUCTION OF BILLS -- FIRST READING**

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

**SB16-177** by Senator(s) Martinez Humenik and Heath, Kefalas; also Representative(s) Hulinghorst and Lawrence--Concerning technical modifications to legislation enacted in 2015 to promote an equitable financial contribution among affected public bodies in connection with urban redevelopment projects allocating tax revenues.  
Local Government

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**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.  
 Appropriations

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**MESSAGE FROM THE GOVERNOR**

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March 30, 2016

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Honorable John W. Hickenlooper  
 Governor, State of Colorado  
 136 State Capitol Building  
 Denver, CO 80203

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Re: Letter of Resignation

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Dear Governor Hickenlooper:

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Effective at the end of the business day on Friday, April 29, 2016, I will resign my  
 position at Lieutenant Governor of the State of Colorado. I owe a great debt of gratitude  
 to the people of Colorado who elected me. It has been my honor to work alongside you in  
 service to our state.

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I will remain available to assist Lieutenant Governor-designate, Donna Lynne, in order  
 that her transition into this office is as seamless as possible.

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Sincerely,  
 (signed)  
 Joseph A. Garcia  
 Lieutenant Governor

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Appointment A letter of designation and appointment from Governor John W. Hickenlooper was  
 read at length:

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March 30, 2016

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The Honorable Colorado House of Representatives  
 Colorado General Assembly  
 State Capitol Building  
 200 E. Colfax Avenue  
 Denver, Colorado 80203

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To the Honorable Colorado Senate  
 Colorado General Assembly  
 State Capitol Building  
 200 E. Colfax Avenue  
 Denver, Colorado 80203

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Dear Members of the General Assembly:

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As you know, Joe Garcia has tendered his resignation as Lieutenant Governor of the State  
 of Colorado effective April 29, 2016. With this letter, I am honored to submit for your  
 approval the nomination of Dr. Donna Lynne to fill the constitutional role of Lieutenant  
 Governor.

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As Lieutenant Governor, Joe Garcia has been an invaluable member of our  
 Administration. He has been a widely respected state leader in higher education, a close  
 advisor, and a trusted friend. His work on behalf of Colorado children - striving to ensure  
 educational opportunity for all - is second to none. Our Administration will miss his  
 counsel and leadership, and we wish Lieutenant Governor Garcia the best as he enters a  
 new chapter in his career.

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The Lieutenant Governor serves a critical role in state government. First and foremost, the Lieutenant Governor assumes the constitutional duties of the Governor when he or she is unable to do so. The Lieutenant Governor also manages the State's relationship with and service to Native Americans. During my tenure as Governor, the Lieutenant Governor also served a dual role as a member of the Cabinet and executive director of the state Department of Higher Education.

Article IV, Section 13(2) of the Colorado Constitution requires that "[w]hen there is a vacancy in the office of the lieutenant governor . . . the governor shall nominate a lieutenant governor who shall take office upon confirmation by a majority vote of both houses of the general assembly." In accordance with these requirements, I hereby nominate Dr. Donna Lynne to fill the position of Lieutenant Governor and submit her for the General Assembly's consideration and approval. I am confident that Dr. Lynne is well qualified to fill the role of Lieutenant Governor and will be a dedicated servant to the people of Colorado.

Dr. Lynne currently serves as executive vice president of Kaiser Foundation Health Plan, Inc. and Kaiser Foundation Hospitals. In that role, she manages 16,000 employees and oversees a budget of over \$8 billion. Previously, she spent two decades in local government and many years in the private sector. She has significant experience in improving service delivery, management oversight, and program improvement. Dr. Lynne is also very active in the community, serving in leadership roles for the Denver Museum of Nature and Science, Denver Public Schools Foundation, National Partnership for Women and Families, Teach for America-Colorado, and the University of Denver.

The office of Lieutenant Governor is a critical role in state government. Dr. Lynne's experience, her passion for service, and her history of managing large, complex institutions makes her a unique and ideal candidate for Colorado's next Lieutenant Governor. I urge your swift action to confirm Dr. Donna Lynne's nomination.

Should you have questions or wish to discuss, please contact me or Kurt Morrison, Legislative Director, Governor's Office at (303) 866-5465. Thank you for your consideration.

Sincerely,  
 (signed)  
 John W. Hickenlooper  
 Governor  
 Rec'd: 3/30/2016  
 Effie Ameen, Secretary of the Senate

- cc: The Honorable Dickey Lee Hullinghorst, Speaker, House of Representatives
- The Honorable Bill Cadman, President, Senate
- The Honorable Crisanta Duran, Majority Leader, House of Representatives
- The Honorable Brian DelGrosso, Minority Leader, House of Representatives
- The Honorable Mark Scheffel, Majority Leader, Senate
- The Honorable Lucia Guzman, Minority Leader, Senate
- Ms. Marilyn Eddins, House Clerk, House of Representatives
- Ms. Effie Ameen, Secretary of the Senate, Senate
- Mr. Dan Cartin, Director, Office of Legislative Legal Services, General Assembly
- Mr. Doug Friednash, Chief of Staff, Office of the Governor
- Mr. Scott Wasserman, Chief of Staff, Office of the Lieutenant Governor and Deputy Chief of Staff, Office of the Governor
- Mr. Alan Salazar, Chief Strategy Office, Office of the Governor
- Ms. Jacki Cooper-Melmed, Chief Legal Counsel, Office of the Governor
- Mr. Kurtis Morrison, Director of Legislative Affairs, Office of the Governor
- Ms. Eliza Schultz, Deputy Director of Legislative Affairs, Office of the Governor

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**CHANGE IN APPOINTMENTS TO CONFERENCE COMMITTEE**

Upon announcement by the President, Senator Newell replaced Senator Kefalas as a Senate conferee on the first conference committee on HB16-1165.

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**TRIBUTES**

Honoring:

- Jim and Lucille Wilson -- By Senator Leroy Garcia.
- Bill and Joy Long -- By Senator Leroy Garcia.
- Myron and Patte Thomas -- By Senator Leroy Garcia.
- Duncan and Marilyn Henrikson -- By Senator Leroy Garcia.
- Frank and Angela Pantleo -- By Senator Leroy Garcia.
- Luis and Teva Quintana -- By Senator Leroy Garcia.
- Fred and Sophia Patterson -- By Senator Leroy Garcia.
- Frank and Yolanda Vigil -- By Senator Leroy Garcia.
- Raymond and Alice Fetty -- By Senator Leroy Garcia.
- Gilbert and Sarah Lucero -- By Senator Leroy Garcia.
- Bradley Teter -- By Senator Leroy Garcia.



On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Thursday, March 31, 2016.

Approved:

Bill L. Cadman  
President of the Senate

Attest:

Effie Ameen  
Secretary of the Senate

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