

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

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85th Legislative Day Wednesday, April 6, 2016

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Prayer By the chaplain, Rabbi Eliot Baskin, Jewish Family Services of Colorado, Denver.

Call to Order By the President at 9:00 a.m.

Roll Call Present--35

Quorum The President announced a quorum present.

Pledge By Senator Neville.

Reading of Journal On motion of Senator Holbert, reading of the Journal of Tuesday, April 5, 2016, was dispensed with, and the Journal was approved as corrected by the Secretary.

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**SENATE SERVICES REPORT**

**Correctly Engrossed:** SB16-061, 065, 144, 148, 158, 164, 165, and 167.

**Correctly Reengrossed:** SB16-147.

**Correctly Revised:** HB16-1063, 1070, 1141, 1155, 1158, 1159, 1327, 1350, and 1352.

**Correctly Rerevised:** HB16-1035 and 1153.

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**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:

**HB16-1327** by Representative(s) Ginal, McCann; also Senator(s) Grantham--Concerning the Colorado dental board's authority to promulgate rules implementing financial responsibility requirements for dental care providers.

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: Aguilar, Crowder, Heath, Jahn, Johnston, Jones, Kefalas, Merrifield, Newell, Scott, Todd, and Woods.

**SB16-165** by Senator(s) Grantham; also Representative(s) Young--Concerning the requirements for an insurance company to be deemed to maintain a home office or regional home office in this state for purposes of the tax on insurance premiums collected by the insurance company.

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, Heath, Lundberg, Neville T., Scott, and Woods.

**HB16-1159** by Representative(s) Lee, Court, Foote, Kagan; also Senator(s) Holbert--Concerning continuation under the sunset law of the Colorado fraud investigators unit.

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: Crowder, Heath, Jahn, and Todd.

**HB16-1158** by Representative(s) Lee; also Senator(s) Holbert--Concerning continuation under the sunset law of the identity theft and financial fraud board.

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.

**HB16-1070** by Representative(s) Neville P.; also Senator(s) Neville T.--Concerning a signature verification requirement for municipal mail ballot elections, and, in connection therewith, making an appropriation.

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, Cooke, Crowder, Grantham, Kefalas, Lambert, Scott, and Tate.

**HB16-1155** by Representative(s) Saine and Mitsch Bush, Humphrey, Buck, Priola, Melton, Coram, Becker J., Nordberg; also Senator(s) Sonnenberg, Marble--Concerning authorization for a county to designate a four-lane controlled-access highway that is located in the county as a primary road of the county highway system, and, in connection therewith, specifying the jurisdiction, control, and duties of the county and of a municipality through which the highway passes with respect to such a highway.

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, Cooke, Heath, Scott, Todd, and Woods.

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**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:

**SB16-164** by Senator(s) Cooke; also Representative(s) Lee--Concerning clarification that a private probation supervision provider can file legal process against a probationer under his or her supervision.

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	N	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	Hodge	Y	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	N	Merrifield	Y	Todd	N
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	N
Garcia	Y	Jones	N	Newell	N	Woods	Y
Grantham	Y	Kefalas	Y	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, Lambert, Lundberg, Marble, Neville T., and Woods.

**SB16-144** by Senator(s) Cooke; also Representative(s) Sias--Concerning allowing certain military personnel who are less than twenty-one years of age to obtain a permit to carry a concealed handgun.

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	N	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	Hodge	N	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	N	Todd	N
Donovan	N	Johnston	Y	Neville T.	Y	Ulibarri	N
Garcia	Y	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, Crowder, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Roberts, Scheffel, Scott, Sonnenberg, and Woods.

**SB16-158** by Senator(s) Lundberg; also Representative(s) Primavera--Concerning the ability of a physician assistant to perform functions delegated by a physician that are within the physician assistant's scope of practice.

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

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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: Aguilar, Baumgardner, Cadman, Carroll, Cooke, Crowder, Garcia, Grantham, Heath, Hill, Holbert, Jahn, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Tate, Todd, and Woods.

**HB16-1063** by Representative(s) Foote and Duran; also Senator(s) Scheffel and Cadman--Concerning an exception to the prohibition against disclosing confidential communications with a mental health professional when school safety is at risk.

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

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	N	Hill	N	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	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**.

Co-sponsor(s) added: Aguilar, Carroll, Crowder, Donovan, Garcia, Guzman, Heath, Hodge, Johnston, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Newell, Roberts, Tate, and Todd.

**HB16-1141** by Representative(s) Becker K. and Coram; also Senator(s) Jahn and Roberts--Concerning the protection of Colorado residents from the hazards associated with naturally occurring radioactive materials in buildings, and in connection therewith, making an appropriation.

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	N
Baumgardner	N	Hill	N	Lundberg	N	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	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	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: Guzman, Heath, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Newell, and Todd.

**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.

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	N
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	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: Roberts.

**HB16-1352** by Representative(s) Hamner, Young, Rankin; also Senator(s) Grantham, Lambert, Steadman--Concerning the appropriation of moneys from the state museum cash fund for the benefit of facilities owned and operated by the state historical society, and, in connection therewith, making an appropriation.

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	N
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	N	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	N	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: Donovan, Heath, Hill, Hodge, Kefalas, Kerr, Martinez Humenik, Merrifield, Newell, Roberts, and Todd.

**HB16-1350** by Representative(s) Young, Hamner, Rankin; also Senator(s) Grantham, Lambert, Steadman--Concerning the department of higher education's authority to make transfers relating to a governing board's fee-for-service contracts for specialty education.

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: Crowder, Heath, Merrifield, Newell, and Todd.

**SB16-065** by Senator(s) Steadman, Aguilar, Jahn, Merrifield, Ulibarri; also Representative(s) Lee-- Concerning criminal restitution.

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	N
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	N
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	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: Guzman, Heath, Johnston, Kefalas, Kerr, Newell, and Todd.

**RECONSIDERATION OF HB16-1352**

**HB16-1352** by Representative(s) Hamner, Young, Rankin; also Senator(s) Grantham, Lambert, Steadman--Concerning the appropriation of moneys from the state museum cash fund for the benefit of facilities owned and operated by the state historical society, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Scheffel moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on HB16-1352.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

**THIRD READING OF BILLS -- FINAL PASSAGE (cont'd)**

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

**HB16-1352** by Representative(s) Hamner, Young, Rankin; also Senator(s) Grantham, Lambert, Steadman--Concerning the appropriation of moneys from the state museum cash fund for the benefit of facilities owned and operated by the state historical society, and, in connection therewith, making an appropriation.

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	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**.

**SB16-061**

by Senator(s) Cooke and Sonnenberg; also Representative(s) Dore--Concerning the protection of electric utility ratepayers from the increased costs associated with implementation of requirements to regulate carbon dioxide emissions from existing fossil-fuel-fired electric generating units, 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	17	EXCUSED	0	ABSENT	0
Aguilar	N	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	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, Crowder, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Scheffel, Scott, and Woods.

**SB16-148**

by Senator(s) Hill, Baumgardner, Hodge, Holbert, Jahn, Lambert, Newell; also Representative(s) Moreno and Lundeen, Arndt, Lawrence, Pabon, Priola--Concerning requiring students to correctly answer a portion of the civics questions on the United States naturalization test as part of the existing state requirement for high school students to satisfactorily complete a course on civil government before graduating from high school.

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

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	N	Heath	N	Lambert	Y	Scott	N
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	N
Carroll	N	Hodge	Y	Marble	N	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	N	Tate	N
Crowder	Y	Jahn	Y	Merrifield	N	Todd	N
Donovan	N	Johnston	Y	Neville T.	Y	Ulibarri	N
Garcia	Y	Jones	N	Newell	Y	Woods	Y
Grantham	Y	Kefalas	N	Roberts	N	President	Y
Guzman	N	Kerr	N	Scheffel	Y		

Less than a majority of all members elected to the Senate having voted in the affirmative, the bill **lost**.



Upon request of Majority Leader Scheffel, **HB16-1417** was removed from the General Orders--Second Reading of Bills Consent Calendar of Wednesday, April 6 and was placed at the end of the General Orders--Second Reading of Bills Calendar of Wednesday, April 6.

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

**HB16-1409** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning the transfer of forty-two million eight hundred thousand dollars on June 30, 2016, from the unclaimed property trust fund for state programs.

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

**HB16-1418** by Representative(s) Rankin, Hamner, Young; also Senator(s) Steadman, Grantham, Lambert--Concerning a transfer from the marijuana tax cash fund to the general fund.

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

**HB16-1406** by Representative(s) Young, Hamner, Rankin; also Senator(s) Grantham, Lambert, Steadman--Concerning department of corrections reimbursements of expenses of county coroners, and, in connection therewith, making an appropriation.

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

**HB16-1410** by Representative(s) Young, Hamner, Rankin; also Senator(s) Grantham, Lambert, Steadman--Concerning matters related to the location where a competency evaluation is conducted, and, in connection therewith, making and reducing appropriations.

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

**HB16-1413** by Representative(s) Rankin, Hamner, Young; also Senator(s) Grantham, Lambert, Steadman--Concerning the financing of the water pollution control program, and, in connection therewith, making an appropriation.

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

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

On motion of Senator Steadman, 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: HB16-1409, HB16-1418, HB16-1406, HB16-1410, HB16-1413.

Senate in recess. Senate reconvened.

**MESSAGE FROM THE GOVERNOR**

April 5, 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:

SB16-012: CONCERNING THE AUTHORITY OF A LOCAL ASSESSOR TO GRANT ADDITIONAL TIME FOR A LANDOWNER TO RECONSTRUCT RESIDENTIAL IMPROVEMENTS THAT WERE DESTROYED BY A NATURAL CAUSE.

Approved April 5, 2016, at 2:48 p.m.

SB16-094: CONCERNING THE SHARED COSTS OF A DISTRICT PUBLIC HEALTH AGENCY BY THE COUNTIES IN THE DISTRICT.

Approved April 5, 2016, at 2:51 p.m.

SB16-127: CONCERNING THE REPEAL OF THE "MEDICAL CLEAN CLAIMS TRANSPARENCY AND UNIFORMITY ACT".

Approved April 5, 2016, at 2:56 p.m.

Sincerely,  
(signed)  
John W. Hickenlooper  
Governor

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

The President has signed: SM16-001; SJR16-002 and 020.

Call of the Senate.

Call raised.

**COMMITTEE OF REFERENCE REPORTS**

Education The Committee on Education has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE  
BOARD OF GOVERNORS OF THE  
COLORADO STATE UNIVERSITY SYSTEM

effective December 31, 2015, for a term expiring December 31, 2019:

Demetri E. "Rico" Munn of Denver, Colorado, to serve as a Democrat, reappointed.

Education The Committee on Education has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE  
BOARD OF GOVERNORS OF THE  
COLORADO STATE UNIVERSITY SYSTEM

effective December 31, 2015, for a term expiring December 31, 2019:

William Eugene Mosher of Denver, Colorado, to serve as a Democrat, reappointed.

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.

**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:

**HB16-1419** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a reduction in the amount of the general fund reserve required for the fiscal year 2015-16.

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

**HB16-1407** by Representative(s) Young, Hamner, Rankin; also Senator(s) Steadman, Grantham, Lambert--Concerning the continuation of the medicaid payment reform and innovation pilot program, and, in connection therewith, changing the time frames, eliminating the repeal date of the pilot program, enhancing the reporting requirements of the department of health care policy and financing, and making an appropriation.

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

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**HB16-1408** by Representative(s) Rankin, Hamner, Young; also Senator(s) Steadman, Grantham, Lambert--Concerning the allocation of cash fund revenues to health-related programs, and, in connection therewith, modifying and streamlining the allocation of tobacco litigation settlement moneys by replacing the current two-tier allocation system that includes both percentage-based and fixed amount allocations of settlement moneys with a single set of exclusively percentage-based allocations and replacing settlement moneys funding for specified programs with marijuana tax cash fund funding; allocating additional settlement moneys to the university of Colorado health sciences center for cancer research only; transferring a specified amount from the children's basic health plan trust to a newly created primary care access fund on July 1, 2016; and making and reducing appropriations.

Amendment No. 1, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 4, page(s) 616, and placed in members' bill files.)

Amendment No. 2(L.005), by Senator Steadman.

Amend reengrossed bill, page 23, line 24, strike "access" and substitute "provider sustainability".

Page 23, line 25, strike "ACCESS" and substitute "PROVIDER SUSTAINABILITY".

Page 24, line 8, after "VISITS," insert "COUNSELING AND HEALTH RISK ASSESSMENTS,".

Page 26, line 14, strike "ACCESS" and substitute "PROVIDER SUSTAINABILITY".

Page 35, line 12, strike "\$20,642,163" and substitute "\$20,556,859".

Page 35, line 14, strike "access" and substitute "provider sustainability".

Page 35, line 15, strike "\$642,163" and substitute "\$556,859".

Page 35, line 20, strike "\$44,563,019" and substitute "\$35,137,377".

Page 2, line 102, strike "ACCESS" and substitute "PROVIDER SUSTAINABILITY".

Amendment No. 3(L.004), by Senator Steadman.

Amend reengrossed bill, page 6, line 20, after "FUND." insert "ANY UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND AT THE END OF ANY FISCAL YEAR REMAINS IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.".

Page 15, lines 4 and 5, strike "revenue in tobacco litigation settlement funds" and substitute "tobacco litigation settlement moneys".

Page 19, strike lines 9 through 16.

Re-number succeeding sections accordingly.

Page 21, line 1, strike "Any".

Page 21, strike lines 2 through 5 and substitute: "Any unexpended or unencumbered money remaining in the fund at the end of any fiscal year commencing on or after July 1, 2014, remains in the fund and shall not be credited or transferred to the general fund or any other fund.".

Page 22, line 27, strike "account.".

Page 23, strike line 1 and substitute "account and shall not be transferred to the general fund or any other fund. Any".

Page 24, line 5, after "FUND." insert "ANY UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND AT THE END OF ANY FISCAL YEAR REMAINS IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO

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THE GENERAL FUND OR ANY OTHER FUND."

Page 24, lines 23 and 24, strike "the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund REMAIN IN THE FUND." and substitute "the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund."

Page 26, line 16, after "amend" insert "(2) (b) and".

Page 26, strike line 20 and substitute: "(2) (b) Grants awarded pursuant to paragraph (a) of this subsection (2) are payable from the nurse home visitor program fund, which fund is hereby created in the state treasury. The nurse home visitor program fund, referred to in this section as the "fund", is administered by the state department and consists of moneys transferred thereto by the state treasurer from moneys received pursuant to the master settlement agreement in the amount described in paragraph (d) of this subsection (2). In addition, the state treasurer shall credit to the fund any public or private gifts, grants, or donations received by the state department to implement the program, including any moneys received from the United States federal government for the program. The fund is subject to annual appropriation by the general assembly to the state department for grants to entities for operation of the program. The state department may retain a total of up to five percent of the amount annually appropriated from the fund for the program, in order to compensate the health sciences facility pursuant to section 26-6.4-105 (3), as set forth in the scope of work in the agreement between the state department and the health sciences facility, and to compensate the state department for the actual costs the state department incurs in implementing the provisions of paragraph (a.5) of this subsection (2), as determined by the state department; except that the portion of the costs to compensate the state department for implementing the provisions of paragraph (a.5) of this subsection (2) shall not exceed two percent of the amount annually appropriated from the fund for the program, and the portion of such costs to compensate the health sciences facility under section 26-6.4-105 (3), as set forth in the scope of work in the contract between the state department and the health sciences facility, shall not exceed three percent of the amount annually appropriated from the fund for the program. In addition, if the total amount annually appropriated from the fund for the program exceeds nineteen million dollars, the state department and the health sciences facility shall assess whether a smaller percentage of the appropriated funds exceeding nineteen million dollars is adequate to cover their actual costs and shall jointly submit to the general assembly a report articulating their conclusions on this subject. The actual costs of the state department include state department personnel and operating costs and any necessary transfers to the department of health care policy and financing for administrative costs incurred for the medicaid program associated with the program. The actual costs of the health sciences facility include the facility's own actual program costs and those of its contractors and subcontractors. Any costs for time studies required to obtain medicaid reimbursement for the program may be paid from program funds and are not subject to the five percent limit in this section. Notwithstanding section 24-36-114, C.R.S., all interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. ~~The lesser of All unexpended and unencumbered moneys in the fund at the end of any fiscal year or an amount of such moneys equal to five percent of the amount appropriated from the fund for the fiscal year remain in the fund and shall not be transferred to the general fund or any other fund. Any additional unexpended and unencumbered moneys in the fund at the end of any fiscal year shall be transferred to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S.~~

(d) (I) Pursuant to ~~section 24-75-1104.5 (1) (a)~~ SECTION 24-75-1104.5".

Page 27, lines 19 and 20, strike "fund. and shall not be transferred to the general fund or any other fund." and substitute "fund and shall not be transferred to the general fund or any other fund."

Page 29, line 6, strike "(1) (a), (1) (c)," and substitute "(1) (a)".

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Page 29, strike lines 16 through 25.

Page 35, line 25, strike "13" and substitute "12".

Page 35, line 26, strike "24" and substitute "23".

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

**HB16-1411** by Representative(s) Rankin, Hamner, Young; also Senator(s) Steadman, Grantham, Lambert--Concerning the supportive residential community program operated at the Fort Lyon property, and, in connection therewith, requiring a longitudinal evaluation of the program; and making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 4, page(s) 616-617, and placed in members' bill files.)

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

**HB16-1414** by Representative(s) Rankin, Hamner, Young; also Senator(s) Steadman, Grantham, Lambert--Concerning the assessment of a monthly surcharge on customers of voice telecommunications providers to fund telecommunications relay services for telephone users with disabilities, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.  
(Printed in Senate Journal, April 4, page(s) 617, and placed in members' bill files.)

Amendment No. 2(L.011), by Senator Steadman.

Amend reengrossed bill, page 2, after line 1 insert:

**"SECTION 1.** In Colorado Revised Statutes, **add 29-11-102.7** as follows:

**29-11-102.7. Imposition of telecommunications relay service surcharge on prepaid wireless - rules - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "CONSUMER" MEANS A PERSON WHO PURCHASES PREPAID WIRELESS TELECOMMUNICATIONS SERVICE IN A RETAIL TRANSACTION.

(b) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.

(c) "PREPAID WIRELESS TRS CHARGE" MEANS THE CHARGE THAT IS REQUIRED TO BE COLLECTED BY A SELLER FROM A CONSUMER UNDER SUBSECTION (2) OF THIS SECTION.

(d) "PROVIDER" MEANS A PERSON THAT PROVIDES PREPAID WIRELESS TELECOMMUNICATIONS SERVICE.

(e) "RETAIL TRANSACTION" MEANS THE PURCHASE OF PREPAID WIRELESS TELECOMMUNICATIONS SERVICE FROM A SELLER FOR ANY PURPOSE OTHER THAN RESALE.

(f) "SELLER" MEANS A PERSON WHO SELLS PREPAID WIRELESS TELECOMMUNICATIONS SERVICE TO ANOTHER PERSON.

(g) "TRS CHARGE" MEANS A TELECOMMUNICATIONS RELAY SERVICE SURCHARGE IMPOSED PURSUANT TO SECTION 40-17-103 (3) (b.5), C.R.S.

(2) (a) A PREPAID WIRELESS TRS CHARGE OF ONE-TENTH OF ONE PERCENT OF THE PRICE OF THE RETAIL TRANSACTION IS HEREBY IMPOSED ON EACH RETAIL TRANSACTION.

(b) (I) ALONG WITH THE PREPAID WIRELESS E911 CHARGE, AS DEFINED IN SECTION 29-11-102.5 (1)(c) AND COLLECTED UNDER SECTION 29-11-102.5 (2), THE SELLER SHALL COLLECT THE PREPAID WIRELESS TRS CHARGE FROM THE CONSUMER ON EACH RETAIL TRANSACTION OCCURRING IN THIS STATE. THE AMOUNT OF THE PREPAID WIRELESS TRS CHARGE SHALL BE EITHER DISCLOSED TO THE CONSUMER OR SEPARATELY STATED ON AN INVOICE, RECEIPT, OR OTHER SIMILAR DOCUMENT THE SELLER PROVIDES TO THE CONSUMER. THE AMOUNT OF THE PREPAID WIRELESS TRS CHARGE AND THE AMOUNT OF THE PREPAID WIRELESS E911 CHARGE MAY BE STATED ON AN INVOICE, RECEIPT, OR OTHER

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DOCUMENTATION TOGETHER AS A SINGLE LINE ITEM AND AS A SINGLE CHARGE. A SELLER SHALL ELECT TO EITHER DISCLOSE OR SEPARATELY STATE THE CHARGE AND SHALL NOT CHANGE THE ELECTION WITHOUT THE WRITTEN CONSENT OF THE DEPARTMENT.

(II) FOR PURPOSES OF THIS PARAGRAPH (b), A RETAIL TRANSACTION OCCURS IN COLORADO IF ONE OF THE CIRCUMSTANCES SET FORTH IN SECTION 29-11-102.5 (2) (b) (II) IS MET.

(c) THE PREPAID WIRELESS TRS CHARGE IS THE LIABILITY OF THE CONSUMER AND NOT OF THE SELLER OR OF ANY PROVIDER; EXCEPT THAT THE SELLER SHALL BE LIABLE TO REMIT ALL PREPAID WIRELESS TRS CHARGES THAT THE SELLER COLLECTS FROM CONSUMERS AS PROVIDED IN SUBSECTION (3) OF THIS SECTION. THE SELLER IS DEEMED TO HAVE COLLECTED THE CHARGE NOTWITHSTANDING THAT THE AMOUNT OF THE CHARGE HAS NEITHER BEEN SEPARATELY DISCLOSED NOR STATED ON AN INVOICE, RECEIPT, OR OTHER SIMILAR DOCUMENT THE SELLER PROVIDES TO THE CONSUMER.

(d) THE AMOUNT OF THE PREPAID WIRELESS TRS CHARGE THAT IS COLLECTED BY A SELLER FROM A CONSUMER SHALL NOT BE INCLUDED IN THE BASE FOR MEASURING ANY TAX, FEE, SURCHARGE, OR OTHER CHARGE THAT IS IMPOSED BY THIS STATE, ANY POLITICAL SUBDIVISION OF THIS STATE, OR ANY INTERGOVERNMENTAL AGENCY.

(3) (a) THE SELLER SHALL REMIT ANY COLLECTED PREPAID WIRELESS TRS CHARGES TO THE DEPARTMENT AT THE TIMES AND IN THE MANNER PROVIDED IN PART 1 OF ARTICLE 26 OF TITLE 39, C.R.S. THE DEPARTMENT SHALL ESTABLISH, BY RULE, REGISTRATION AND PAYMENT PROCEDURES THAT SUBSTANTIALLY COINCIDE WITH THE REGISTRATION AND PAYMENT PROCEDURES THAT APPLY UNDER PART 1 OF ARTICLE 26 OF TITLE 39, C.R.S. A SELLER MAY REMIT PREPAID WIRELESS TRS CHARGES AND PREPAID WIRELESS E911 CHARGES, AS DEFINED IN SECTION 29-11-102.5 (1) (c), TOGETHER TO THE DEPARTMENT OF REVENUE AS A SINGLE REMITTANCE. A SELLER IS SUBJECT TO THE PENALTIES UNDER PART 1 OF ARTICLE 26 OF TITLE 39, C.R.S., FOR FAILURE TO COLLECT OR REMIT A PREPAID WIRELESS TRS CHARGE IN ACCORDANCE WITH THIS SECTION.

(b) EFFECTIVE SEPTEMBER 1, 2016, A SELLER MAY DEDUCT AND RETAIN THREE AND THREE-TENTHS PERCENT OF THE PREPAID WIRELESS TRS CHARGES THAT ARE COLLECTED BY THE SELLER FROM CONSUMERS.

(c) THE AUDIT AND APPEAL PROCEDURES APPLICABLE TO THE STATE SALES TAX UNDER PART 1 OF ARTICLE 26 OF TITLE 39, C.R.S., SHALL APPLY TO PREPAID WIRELESS TRS CHARGES.

(d) THE DEPARTMENT SHALL ESTABLISH PROCEDURES BY WHICH A SELLER MAY DOCUMENT THAT A TRANSACTION IS NOT A RETAIL TRANSACTION, WHICH PROCEDURES SHALL SUBSTANTIALLY COINCIDE WITH THE PROCEDURES FOR DOCUMENTING THAT A SALE WAS WHOLESALE FOR PURPOSES OF THE SALES TAX UNDER PART 1 OF ARTICLE 26 OF TITLE 39, C.R.S.

(4) THE DEPARTMENT SHALL TRANSMIT THE MONEY COLLECTED PURSUANT TO THIS SECTION TO THE STATE TREASURER WHO SHALL CREDIT THE MONEY TO THE COLORADO TELEPHONE USERS WITH DISABILITIES FUND CREATED IN SECTION 40-17-104 (1), C.R.S.

(5) THE PREPAID WIRELESS TRS CHARGE IMPOSED BY THIS SECTION IS THE ONLY DIRECT TELECOMMUNICATIONS RELAY SERVICE FUNDING OBLIGATION IMPOSED WITH RESPECT TO PREPAID WIRELESS TELECOMMUNICATIONS SERVICE IN THIS STATE. NO TAX, FEE, SURCHARGE, OR OTHER CHARGE TO FUND TELECOMMUNICATIONS RELAY SERVICE SHALL BE IMPOSED BY THIS STATE, ANY POLITICAL SUBDIVISION OF THIS STATE, OR ANY INTERGOVERNMENTAL AGENCY UPON A PROVIDER, SELLER, OR CONSUMER WITH RESPECT TO THE SALE, PURCHASE, USE, OR PROVISION OF PREPAID WIRELESS TELECOMMUNICATIONS SERVICE."

Renumber succeeding sections accordingly.

Page 5 of the bill, line 14, strike "AND".

Page 5 of the bill, line 18, strike "FUND." and substitute "FUND; AND

(E) REIMBURSE THE DEPARTMENT OF REVENUE FOR ITS ADMINISTRATIVE COSTS IN COLLECTING PREPAID WIRELESS TRS CHARGES ON PREPAID WIRELESS PHONES PURSUANT TO SECTION 29-11-102.7, C.R.S."

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Amend the Appropriations Committee Report, dated April 4, 2016, page 1, strike lines 2 through 5 and substitute:

""(b.5) WITH RESPECT TO PREPAID WIRELESS SERVICE, A REQUIREMENT THAT A SELLER COLLECT A PREPAID WIRELESS TRS CHARGE FROM A CONSUMER, AS THOSE TERMS ARE DEFINED IN SECTION 29-11-102.7, C.R.S., AND REMIT THE CHARGE TO THE DEPARTMENT OF REVENUE WHICH SHALL TRANSMIT THE MONEY TO THE STATE TREASURER FOR DEPOSIT INTO THE COLORADO TELEPHONE USERS WITH DISABILITIES FUND, CREATED IN SECTION 40-17-104 (1)."."

Page 1 of the report, line 7, strike "8" and substitute "9".

Amendment No. 3(L.013), by Senator Steadman.

Amend reengrossed bill, page 6, line 15, strike "OF" and substitute "WITH RESPECT TO".

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

**HB16-1405** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2016, except as otherwise noted.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, April 4, page(s) 617-618, and placed in members' bill files.)

Amendment No. 2(J.092), by Senators Johnston and Martinez Humenik.

Amend the Senate Appropriations Committee Report, dated April 4, 2016, page 1, strike lines 1 through 5.

PURPOSE: Restores House Amendment #17 (J.039) which added \$50,000 General Fund and 1.0 FTE to the Office of State Planning and Budgeting in the Office of the **Governor**. The Senate Appropriations Committee Report reversed this amendment.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Governor	\$50,000	\$0	\$0	\$0	\$50,000	1.0

Amendment No. 3(L.067), by Senator Kefalas.

Amend the Appropriations Committee Report, dated April 4, 2016, page 1, strike lines 8 through 11.

PURPOSE: Restores House Amendment #22 (J.025) which added \$550,000 cash funds to the Department of **Human Services** to increase the spending authority for the Traumatic Brain Injury Trust Fund. The Senate Appropriation Committee Report struck this amendment.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
	\$0	\$550,000	\$0	\$0	\$550,000	0.0

Amendment No. 4(J.069), by Senator Sonnenberg.

Amend the Appropriations Committee Report, dated April 4, 2016, page



1, after line 11 insert:

"Page 365 of the bill, line 5, strike "28,427" and substitute "28,025".

Page 365 of the bill, line 6, in the ITEM & SUBTOTAL column strike "2,701,987" and substitute "2,663,776" and in the REAPPROPRIATED FUNDS column strike "2,701,987<sup>a</sup>" and substitute "2,663,776<sup>a</sup>".

Adjust affected totals accordingly.

Page 366 of the bill, line 12, strike "\$26,630,880" and substitute "\$26,592,669".

Page 375 of the bill, line 5, in the ITEM & SUBTOTAL column strike "4,574,700" and substitute "4,536,489" and in the CASH FUNDS column strike "3,774,000<sup>b</sup>" and substitute "3,735,789<sup>b</sup>".

Adjust affected totals accordingly.

Page 375 of the bill, line 11, strike "\$1,750,000" and substitute "\$1,711,789".

Page 1 of the report, after line 12 insert:

"Page 378 of the bill, before line 8 insert:

	ITEM & SUBTOTAL \$	CASH FUNDS \$	FEDERAL FUNDS \$
"Stationary Sources			
Personal Services	7,925,034	6,665,987 <sup>a</sup> (77.4 FTE)	1,259,047 (15.8 FTE)
Stationary Sources			
Operating Expenses	296,041	247,127 <sup>a</sup>	48,914".

Page 2 of the report, strike line 2 and substitute "Page 378 of the bill, strike lines 14 and 15 and substitute "<sup>a</sup> Of these amounts, an estimated \$6,863,114 shall be from the Stationary Sources Control Fund created in Section 25-7-114.7 (2) (b) (I), C.R.S., and an estimated \$50,000 shall be from the Lead Hazard Reduction Cash Fund created in Section 25-5-1106 (2), C.R.S.".

**PURPOSE:** Adds \$8,144,653 total funds and 93.2 FTE to the Department of **Public Health and Environment** including: (1) a reduction of \$38,211 reappropriated funds from indirects cost recoveries for legal services; (2) a reduction of \$38,211 cash funds from indirect cost assessments; and (3) an increase of \$8,221,075 total funds and 93.2 FTE for the Air Pollution Control Division.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Public Health and Environment						
Administration and Support Division	\$0	\$0	(\$38,211)	\$0	(\$38,211)	0.0
Air Pollution Control Division, Indirect Cost Assessment	0	(38,211)	0	0	(38,211)	0.0
Stationary Sources Program	0	6,913,114	0	1,307,961	8,221,075	93.2
	\$0	\$6,836,692	(\$38,211)	\$1,307,961	\$8,106,442	93.2

Amendment No. 5(J.078), by Senators Neville and Woods.

Amend reengrossed bill, page 146, line 5, strike "**BOARDS**" and substitute "**BOARDS<sup>21a</sup>**".

Page 162, after line 6 insert:

"21a Department of Higher Education, Governing Boards -- It is the intent of the General Assembly that appropriations in this section not be used for any activities related to the sale of tissue from unborn children."

PURPOSE: Adds a footnote in the Department of **Higher Education** to specify the intent of the General Assembly that appropriations for the Governing Boards not be used for any activities related to the sale of tissue from unborn children.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Higher Education	\$0	\$0	\$0	\$0	\$0	0.0

Amendment No. 6(J.065), by Senators Jahn, Cadman, Tate.

Amend reengrossed bill, page 467, line 3, in the ITEM & SUBTOTAL column strike "8,054,611" and substitute "8,482,054" and in the GENERAL FUND column strike "7,749,746" and substitute "8,177,189".

Page 467, line 4, in the ITEM & SUBTOTAL column strike "(132.9 FTE)" and substitute "(140.0 FTE)".

Page 467, line 5, in the ITEM & SUBTOTAL column strike "520,190" and substitute "568,656" and in the GENERAL FUND column strike "515,510" and substitute "563,976".

Page 467, line 7, in the ITEM & SUBTOTAL column strike "3,031,312" and substitute "3,045,371" and in the GENERAL FUND column strike "2,992,793" and substitute "3,006,852".

Adjust affected totals accordingly.

PURPOSE: Increases the appropriation to the Taxpayer Services Division in the Department of **Revenue** by \$489,968 General Fund and 7.1 FTE for earned income tax credit fraud investigators.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Revenue	\$489,968	\$0	\$0	\$0	\$489,968	7.1

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

**HB16-1417** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning capital-related transfers of moneys.

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

**HB16-1416** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning the transfer of money from the general fund to cash funds that are used for the state's infrastructure.

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

**HB16-1415** by Representative(s) Hamner, Young, Rankin; also Senator(s) Steadman, Grantham, Lambert--Concerning the manner in which the state funds driver and vehicle services by the division of motor vehicles in the department of revenue, and, in connection therewith, making and reducing an appropriation.

Amendment No. 1(L.003), by Senator Lambert.

Amend reengrossed bill, page 3, strike lines 12 and 13 and substitute "(c) and (2) (e) as follows:

**42-2-114. License issued - fees - rules - repeal.**

(2) (c) Notwithstanding paragraph (b) of this subsection (2):

(I) If the driver's license is issued by the office of a county clerk and recorder in a county with a population of at least one hundred thousand individuals, the county clerk and recorder shall retain the sum of ~~eight~~ THIRTEEN dollars and forward the remainder to the department for transmission to the state treasurer, who shall credit the remainder of the fee to the licensing services cash fund.

(II) If the driver's license is issued by an office of a county clerk and recorder in a county with a population of fewer than one hundred thousand individuals, the county clerk and recorder shall retain the sum of ~~thirteen~~ EIGHTEEN dollars and ~~sixty cents~~ and forward the remainder to the department for transmission to the state treasurer, who shall credit the remainder of the fee to the licensing services cash fund.

(e) In".

Amendment No. 2(J.002), by Senator Steadman.

Amend the reengrossed bill, page 7, on line 23 strike "\$3,200,000;" and substitute "\$3,093,742;".

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

**SB16-142** by Senator(s) Scott; also Representative(s) Ryden--Concerning modernization of election law provisions, and, in connection therewith, correcting statutory citations, updating terms and procedures to reflect modern elections administration, conforming state law to federal law, eliminating redundancies and obsolete references and practices, and harmonizing durational residency requirements for certain local government elections.

Laid over until Monday, April 11, retaining its place on the calendar.

**SB16-067** by Senator(s) Scheffel and Heath, Hill, Holbert, Lundberg, Roberts, Woods; also Representative(s) Williams, Brown, Conti, Lawrence, Priola, Rankin, Saine, Thurlow, Van Winkle, Willett--Concerning a property tax exemption for personal property used to provide broadband service.

Laid over until Thursday, April 7, 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 balance of the General Orders -- Second Reading of Bills Calendar (SB16-169, SB16-113) of Wednesday, April 6, was laid over until Monday, April 11, retaining its place on the calendar.

**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	33	NO	0	EXCUSED	2	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	E	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	E
Guzman	Y	Kerr	Y	Scheffel	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB16-1419, HB16-1407, HB16-1408 as amended,  
 HB16-1411 as amended, HB16-1414 as amended, HB16-1405 as amended, HB16-1417,  
 HB16-1416, HB16-1415 as amended.  
 Laid over until Thursday, April 7: SB16-067.  
 Laid over until Monday, April 11: SB16-142, SB16-169, SB16-113.

**COMMITTEE OF REFERENCE REPORTS**

State,  
Veterans, &  
Military  
Affairs

The Committee on State, Veterans, & Military Affairs 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  
COLORADO CIVIL RIGHTS COMMISSION

for terms expiring March 13, 2019:

Anthony R. Aragon of Denver, Colorado, to serve as a representative for local (or state) government entities and as a Democrat, reappointed;

Rita Renae Lewis, JD, of Denver, Colorado, to serve as representative of small business and as a Democrat, reappointed;

Carol Fabrizio of Denver, Colorado, to serve as a representative of the business community and as an Unaffiliated, reappointed.

**TRIBUTES**

Honoring:

- Michael Hess -- By Senator Linda Newell.
- Karlie Zabukovic -- By Senator Leroy Garcia.
- Elmer and Frances Montgomery -- By Senator Leroy Garcia.

On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Thursday,  
April 7, 2016.

Approved:

Bill L. Cadman  
President of the Senate

Attest:

Effie Ameen  
Secretary of the Senate

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