

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

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100th Legislative Day

Thursday, April 21, 2016

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Prayer	By the chaplain, Pastor Doug Toller, Winter Park Christian Church, Tabernash.	1
Call to Order	By the President at 9:00 a.m.	2
Roll Call	Present--34 Excused--1, Roberts.	3
Quorum	The President announced a quorum present.	4
Pledge	By Senator Donovan.	5
Reading of Journal	On motion of Senator Cooke, reading of the Journal of Wednesday, April 20, 2016, was dispensed with, and the Journal was approved as corrected by the Secretary.	6

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**COMMITTEE OF REFERENCE REPORTS**

Judiciary	After consideration on the merits, the Committee recommends that <b>SB16-180</b> be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	7
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Amend printed bill, page 3, line 22, after "C.R.S.," insert "OR PURSUANT TO EITHER OF THESE SECTIONS AS THEY EXISTED PRIOR TO THEIR REPEAL AND REENACTMENT, WITH AMENDMENTS, BY HOUSE BILL 96-1005,".

Page 4, strike lines 1 and 2 and substitute:  
"SENTENCE;

(II) HAS NOT BEEN RELEASED ON PAROLE;  
(III) HAS NOT BEEN CONVICTED OF A SEX OFFENSE, AS DEFINED IN SECTION 16-11.7-102 (3), C.R.S.; AND  
(IV) HAS NOT BEEN DETERMINED TO SUFFER FROM A SERIOUS MENTAL ILLNESS BY THE DEPARTMENT."

Page 5, strike lines 3 through 8 and substitute:

"(3) THE DEPARTMENT MAY MAKE RESTORATIVE JUSTICE PRACTICES, AS DEFINED IN SECTION 18-1-901 (3) (o.5), C.R.S., AVAILABLE TO ANY VICTIM OF ANY OFFENDER WHO PETITIONS FOR PLACEMENT IN THE SPECIALIZED PROGRAM, AS MAY BE APPROPRIATE, BUT ONLY IF REQUESTED BY THE VICTIM AND THE VICTIM HAS REGISTERED WITH THE DEPARTMENT OF CORRECTIONS REQUESTING NOTICE OF VICTIMS' RIGHTS PURSUANT TO THE PROVISIONS OF PART 3 OF ARTICLE 4.1 OF TITLE 24, C.R.S."

Page 5, line 16, strike "SECTION" and substitute "SECTIONS".

Page 5, strike line 17 and substitute "24-4.1-302.5 (1) (q) AND 24-4.1-303 (14), C.R.S."

Page 5, line 24, strike "TWO" and substitute "THREE".

Page 6, line 11, after "C.R.S.," insert "OR PURSUANT TO EITHER OF THESE SECTIONS AS THEY EXISTED PRIOR TO THEIR REPEAL AND REENACTMENT, WITH AMENDMENTS, BY HOUSE BILL 96-1005,".

Page 6, strike line 13 and substitute "IMPLEMENT THE SPECIALIZED PROGRAM WITHIN OR IN CONJUNCTION WITH A".

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Page 6, line 14, strike "SECURITY".

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Page 6, line 17, after "SECURE" insert "OR LESS RESTRICTIVE".

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Page 6, line 21, strike "TEENAGE".

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Page 6, line 23, strike "THE BEST AND MOST" and substitute "BEST AND".

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Page 6, after line 26 insert:

"(3) THE DEPARTMENT SHALL NOT ALLOW ANY PARTICIPATING OFFENDER TO COMPLETE THE SPECIALIZED PROGRAM IN LESS THAN THREE YEARS."

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Renumber succeeding subsections accordingly.

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Page 6, strike line 27 and substitute:

"(4) THE DEPARTMENT MAY MAKE RESTORATIVE JUSTICE PRACTICES, AS DEFINED IN SECTION 18-1-901 (3) (o.5), C.R.S., AVAILABLE TO ANY VICTIM OF ANY OFFENDER WHO PETITIONS FOR PLACEMENT IN THE SPECIALIZED PROGRAM, AS MAY BE APPROPRIATE, BUT ONLY IF REQUESTED BY THE VICTIM AND THE VICTIM HAS REGISTERED WITH THE DEPARTMENT OF CORRECTIONS REQUESTING NOTICE OF VICTIMS' RIGHTS PURSUANT TO THE PROVISIONS OF PART 3 OF ARTICLE 4.1 OF TITLE 24, C.R.S."

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Page 7, strike lines 1 through 4.

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Page 7, line 6, strike "DECEMBER 31, 2016." and substitute "AUGUST 10, 2017."

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Page 7, line 8, strike "MARCH 31, 2017." and substitute "NOVEMBER 10, 2017."

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Page 7, line 9, strike "CANNOT BE" and substitute "IS NOT".

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Page 7, line 11, strike "JANUARY 31, 2017," and substitute "NOVEMBER 30, 2017,".

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Page 7, line 13, strike "(4)" and substitute "(5)" and strike "JUNE 30, 2017." and substitute "DECEMBER 1, 2017."

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Page 7, line 14, strike "(5)" and substitute "(6) (a)".

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Page 7, after line 18 insert:

"(b) AN OFFENDER WHO IS TERMINATED FROM THE SPECIALIZED PROGRAM MAY NOT RE-PETITION FOR PLACEMENT IN THE SPECIALIZED PROGRAM SOONER THAN THREE YEARS FROM THE DATE OF SUCH TERMINATION."

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Page 8, strike lines 3 through 7.

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Page 9, line 18, strike "17-34-102 (7)," and substitute "17-34-102 (8)".

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Page 9, strike lines 22 through 25.

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Page 9, line 26, strike "19-2-518, C.R.S.",.

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Page 10, line 10, strike "APPROPRIATE." and substitute "THE BOARD CONSIDERS MAKING A RECOMMENDATION FOR EARLY PAROLE, AT WHICH HEARING ANY VICTIM MUST HAVE THE OPPORTUNITY TO BE HEARD, PURSUANT TO SECTION 24-4.1-302.5 (1) (j), C.R.S."

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Page 10, line 13, strike "17-34-102 (7)," and substitute "17-34-102 (8)".

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Page 10, line 19, strike "SECTION" and substitute "SECTIONS".

Page 10, strike line 20 and substitute "(1) (j) AND 24-4.1-303 (14), C.R.S., AND TO THE DISTRICT ATTORNEY'S OFFICE THAT".

Page 10, line 26, strike "17-34-102 (7)," and substitute "17-34-102 (8),".

Page 11, line 11, strike "APPROPRIATE." and substitute "THE BOARD CONSIDERS MAKING A RECOMMENDATION FOR EARLY PAROLE, AT WHICH HEARING ANY VICTIM MUST HAVE THE OPPORTUNITY TO BE HEARD, PURSUANT TO SECTION 24-4.1-302.5 (1) (j), C.R.S.".

Page 11, line 14, strike "17-34-102 (7)," and substitute "17-34-102 (8),".

Page 11, line 20, strike "SECTION" and substitute "SECTIONS".

Page 11, line 21, strike line 21 and substitute "(1) (j) AND 24-4.1-303 (14), C.R.S., AND TO THE DISTRICT ATTORNEY'S OFFICE THAT".

Judiciary

After consideration on the merits, the Committee recommends that **SB16-181** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 5, after "C.R.S.," insert "OR PURSUANT TO EITHER OF THESE SECTIONS AS THEY EXISTED PRIOR TO THEIR REPEAL AND REENACTMENT, WITH AMENDMENTS, BY HOUSE BILL 96-1005,".

Page 3, line 7, strike "PAROLE, THE DISTRICT" and substitute "PAROLE:".

Page 3, strike lines 8 through 10 and substitute:

"(A) IF THE FELONY FOR WHICH THE PERSON WAS CONVICTED IS NEITHER MURDER IN THE FIRST DEGREE, AS DESCRIBED IN SECTION 18-3-102 (1) (b), NOR MURDER IN THE FIRST DEGREE, AS DESCRIBED IN SECTION 18-3-102 (1), BASED ON A THEORY OF COMPLICITY, AS DESCRIBED IN SECTION 18-1-603, THEN THE DISTRICT COURT SHALL SENTENCE THE PERSON TO A TERM OF LIFE IMPRISONMENT WITH THE POSSIBILITY OF".

Page 3, strike lines 13 and 14 and substitute:

"(B) IF THE FELONY FOR WHICH THE PERSON WAS CONVICTED IS EITHER MURDER IN THE FIRST DEGREE, AS DESCRIBED IN SECTION 18-3-102 (1) (b), OR MURDER IN THE FIRST DEGREE, AS DESCRIBED IN SECTION 18-3-102 (1), BASED ON A THEORY OF COMPLICITY, AS DESCRIBED IN SECTION 18-1-603, THEN THE DISTRICT COURT, AFTER HOLDING A HEARING, MAY SENTENCE THE PERSON TO A DETERMINATE SENTENCE WITHIN THE RANGE OF THIRTY TO FIFTY YEARS IN PRISON, LESS ANY EARNED TIME".

Page 3, line 19, after the period add "ALTERNATIVELY, THE COURT MAY SENTENCE THE PERSON TO A TERM OF LIFE IMPRISONMENT WITH THE POSSIBILITY OF PAROLE AFTER SERVING FORTY YEARS, LESS ANY EARNED TIME GRANTED PURSUANT TO SECTION 17-22.5-405, C.R.S.".

Page 4, line 6, strike "AND".

Page 4, after line 6, insert:

"(D) THE IMPACT OF THE OFFENSE UPON ANY VICTIM OR VICTIM'S IMMEDIATE FAMILY; AND".

Page 4, line 7 strike "(D)" and substitute "(E)".

Page 4, line 11, strike "TWENTY-FOUR TO FORTY-EIGHT" and substitute "THIRTY TO FIFTY".

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Page 5, line 13, after "C.R.S.," insert "OR PURSUANT TO EITHER OF THESE SECTIONS AS THEY EXISTED PRIOR TO THEIR REPEAL AND REENACTMENT, WITH AMENDMENTS, BY HOUSE BILL 96-1005,".

Page 5, line 22, strike "TWENTY-FOUR TO FORTY-EIGHT" and substitute "THIRTY TO FIFTY".

Page 6, line 6, after "17-22.5-405," insert "**amend** (4); and".

Page 6, after line 21, insert:

"(4) (a) EXCEPT AS DESCRIBED IN SUBSECTION (6) OR (9) OF THIS SECTION OR IN PARAGRAPH (b) OF THIS SUBSECTION (4), AND notwithstanding any other provision of this section, earned time may not reduce the sentence of an inmate as defined in section 17-22.5-402 (1) by a period of time that is more than thirty percent of the sentence. ~~This subsection (4) shall not apply to subsection (6) or subsection (9) of this section.~~

(b) EARNED TIME MAY NOT REDUCE THE SENTENCE OF AN INMATE DESCRIBED IN SUBSECTION (1.2) OF THIS SECTION BY A PERIOD OF TIME THAT IS MORE THAN TWENTY-FIVE PERCENT OF THE SENTENCE."

Page 8, strike line 16 and substitute "C.R.S.,OR PURSUANT TO EITHER OF THESE SECTIONS AS THEY EXISTED PRIOR TO THEIR REPEAL AND REENACTMENT, WITH AMENDMENTS, BY HOUSE BILL 96-1005; AND".

State,  
Veterans, &  
Military  
Affairs

After consideration on the merits, the Committee recommends that **HB16-1318** be **referred** to the Committee on Appropriations with favorable recommendation.

State,  
Veterans, &  
Military  
Affairs

After consideration on the merits, the Committee recommends that **HB16-1295** be **referred** to the Committee on Finance with favorable recommendation.

State,  
Veterans, &  
Military  
Affairs

After consideration on the merits, the Committee recommends that **SCR16-004** be **postponed indefinitely**.

State,  
Veterans, &  
Military  
Affairs

After consideration on the merits, the Committee recommends that **SCR16-006** be **referred** to the Committee of the Whole with favorable recommendation.

State,  
Veterans, &  
Military  
Affairs

After consideration on the merits, the Committee recommends that **SB16-189** 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 61, after line 15 insert:

"**SECTION 88.** In Colorado Revised Statutes, **amend** 32-1-706 as follows:

**32-1-706. Conduct of election.** It is the duty of the secretary to administer the election, subject to court supervision. The election shall be conducted pursuant to ~~the provisions of~~ articles 1 to ~~13~~ 13.5 of title 1, C.R.S."

Renumber succeeding sections accordingly.

Page 81, line 15, strike "(2)" and substitute "(3)" and strike "122" and

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substitute "123".

Page 81, line 17, strike "(3)" and substitute "(4)" and strike "123" and substitute "124".

Page 81, line 18, strike "123" and substitute "124".

Business,  
Labor, &  
Technology

The Committee on Business, Labor, & Technology 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 BANKING BOARD

for a term expiring July 1, 2016:

Jonathan Randall Fox of Fowler, Colorado, to serve as a representative of bankers, and occasioned by the resignation of Ashley John Burt of Gunnison, Colorado, appointed.

for terms expiring July 1, 2019:

Glen Jammaron of Glenwood Springs, Colorado, to serve as a representative of bankers, and as a representative who resides west of the continental divide, appointed;

William Joseph Mickles of Centennial, Colorado, to serve as a representative of the public, appointed;

Richard Estaban Martinez, Jr., of Centennial, Colorado, to serve as a representative of bankers, and as a representative of a bank having less than one hundred fifty million dollars in total assets, reappointed.

Health &  
Human  
Services

After consideration on the merits, the Committee recommends that **HB16-1280** be **referred** to the Committee on Finance with favorable recommendation.

Health &  
Human  
Services

After consideration on the merits, the Committee recommends that **HB16-1377** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, line 11, after "CHILDREN" insert "BY GOVERNMENT EMPLOYEES".

Page 5, line 14, strike "COUNTY EMPLOYEES, LAW ENFORCEMENT," and substitute "GOVERNMENT EMPLOYEES,".

Page 5, line 23, after "NEGLECT," insert "STUDY THE BEST PRACTICES REGARDING WHEN DOCUMENTATION OF EVIDENCE OF ABUSE OR NEGLECT IS LIMITED TO AREAS VISIBLE IN PLAIN SIGHT ON THE CHILD AND WHEN DOCUMENTATION OF EVIDENCE MAY EXTEND TO A CHILD'S PRIVATE AREAS,".

Page 6, after line 20 insert:

"(5) "GOVERNMENT" MEANS THE STATE; ANY COUNTY, CITY AND COUNTY, MUNICIPALITY, OR LAW ENFORCEMENT AGENCY; AND ANY SCHOOL DISTRICT.

(6) "GOVERNMENT EMPLOYEE" MEANS A PERSON EMPLOYED BY THE GOVERNMENT OR ACTING UNDER THE COLOR OF STATE LAW.".

Renumber succeeding sections accordingly.

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Page 7, after line 4 insert:

"(10) "VISIBLE IN PLAIN SIGHT ON THE CHILD" MEANS AN AREA OF THE CHILD'S BODY THAT IS NORMALLY VIEWABLE BY THE PUBLIC AND THAT COULD BE OBSERVED VISUALLY WITHOUT REMOVAL OR REARRANGEMENT OF THE CHILD'S CLOTHING. "VISIBLE IN PLAIN SIGHT ON THE CHILD" DOES NOT INCLUDE A CHILD'S PRIVATE AREAS."

Page 7, line 27, strike "C.R.S.;" and substitute "C.R.S., APPOINTED BY THE DIRECTOR OF THE OFFICE OF THE CHILD'S REPRESENTATIVE;"

Page 8, line 2, strike "C.R.S.;" and substitute "C.R.S., APPOINTED BY THE DIRECTOR OF THE OFFICE OF THE RESPONDENT PARENTS' COUNSEL;"

Page 10, line 22, strike "COUNTY" and substitute "GOVERNMENT"

Page 11, strike lines 11 and 12 and substitute:

"(II) HOW A GOVERNMENT EMPLOYEE TAKES, MAINTAINS, AND"

Page 11, line 15, strike "COUNTY" and substitute "GOVERNMENT"

Page 11, line 21, strike "COUNTY" and substitute "GOVERNMENT"

Page 12, line 4, strike "COUNTY DEPARTMENTS, LAW ENFORCEMENT AGENCIES," and substitute "GOVERNMENTS"

Page 12, line 19, strike "COUNTY" and substitute "GOVERNMENT"

Page 13, after line 7 add:

"(3) THE TASK FORCE SHALL STUDY AND RECOMMEND:

(a) THE BEST PRACTICES REGARDING WHEN DOCUMENTATION OF EVIDENCE BY A GOVERNMENT EMPLOYEE IS LIMITED TO AREAS VISIBLE IN PLAIN SIGHT ON THE CHILD AND WHEN DOCUMENTATION OF EVIDENCE MAY EXTEND TO PRIVATE AREAS OF THE CHILD;

(b) UNDER WHAT CIRCUMSTANCES A GOVERNMENT EMPLOYEE CAN EXAMINE, UNCLOTHE, OR REARRANGE CLOTHING COVERING PRIVATE AREAS OR ASK THE CHILD TO REMOVE OR REARRANGE HIS OR HER CLOTHING COVERING PRIVATE AREAS.

(4) THE TASK FORCE SHALL STUDY AND RECOMMEND WHEN A GOVERNMENT EMPLOYEE SEEKING TO DOCUMENT EVIDENCE OF SUSPECTED CHILD ABUSE OR NEGLECT OF PRIVATE AREAS OF THE CHILD:

(a) IS REQUIRED TO OBTAIN THE CONSENT OF A PARENT, GUARDIAN, OR LEGAL CUSTODIAN OF THE CHILD OR OBTAIN CONSENT FROM A CHILD WHO IS FIFTEEN YEARS OF AGE OR OLDER AND LESS THAN EIGHTEEN YEARS OF AGE; OR

(b) MUST OBTAIN A COURT ORDER DIRECTING THAT THE CHILD BE PRESENTED TO AND EXAMINED AND EVALUATED BY AN INDEPENDENT MEDICAL PROVIDER, A SEXUAL ASSAULT NURSE EXAMINER (SANE), OR THE CHILD'S OWN PHYSICIAN, IF THE PARENT, GUARDIAN, OR LEGAL CUSTODIAN, OR THE CHILD, IF BETWEEN THE AGES OF FIFTEEN AND EIGHTEEN, REFUSES TO GIVE CONSENT; OR

(c) MAY PROCEED IN EXAMINING AND PHOTOGRAPHING THE PRIVATE AREAS OF THE CHILD WITHOUT THE PARENT'S CONSENT OR WITHOUT A COURT ORDER BASED UPON A REASONABLE BELIEF THAT EXIGENT CIRCUMSTANCES EXIST THAT CONSTITUTE A MEDICAL EMERGENCY, SUCH AS IN CONJUNCTION WITH A CALL TO 911, OR BASED UPON A REASONABLE SUSPICION THAT THE CHILD NEEDS TREATMENT OR IS IN IMMEDIATE THREAT OF SERIOUS BODILY INJURY."

Renumber succeeding subsections accordingly.

Page 13, line 8, strike "SUBSECTION" and substitute "SUBSECTIONS"

Page 13, line 9, after "(2)" insert "TO (4)".

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Page 13, line 10, strike "THE COUNTY" and substitute "GOVERNMENTS".

Page 13, line 11, strike "DEPARTMENTS AND THE STATE DEPARTMENT".

**SENATE SERVICES REPORT**

**Correctly Printed:** SB16-193 and 194; SJR16-036 and 037.

**Correctly Engrossed:** SB16-026, 036, 040, 117, 130, 155, 174, and 182.

**Correctly Reengrossed:** SB16-038.

**Correctly Rerevised:** HB16-1171, 1225, 1336, and 1375.

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

Senate in recess. Senate reconvened.

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

Senate in recess. Senate reconvened.

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

**CONSIDERATION OF RESOLUTIONS**

**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 Friday, April 22, retaining its place on the calendar.

**SJR16-036** by Senator(s) Crowder and Ulibarri; also Representative(s) Rosenthal and Sias--Concerning the declaration of May 1, 2016, through May 8, 2016, as "Holocaust Awareness Week".

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

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

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

On motion of Senator Ulibarri, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an expression of personal privilege.

Senate in recess.

Musical Presentation By Oscar "Osi" Sladek, Holocaust survivor and Denver musician, performing "Ani Maamin" and "Zog Nit Keynmol".

Senate reconvened.

**MESSAGE FROM THE HOUSE**

April 21, 2016

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB16-1366, amended as printed in House Journal, April 20. HB16-1348, amended as printed in House Journal, April 20. HB16-1373, amended as printed in House Journal, April 20. HB16-1430, amended as printed in House Journal, April 20.

The Speaker announced that Representative Sias is added as Joint prime sponsor with Representative Young on SB16-038.

The House has postponed indefinitely SB16-083, SB16-112. The bills are returned herewith.

The House has adopted and transmits herewith HJR16-1015, as printed in House Journal.



**MESSAGE FROM THE REVISOR OF STATUTES**

April 21, 2016

We herewith transmit:

Without comment, as amended, HB16-1348, 1366, 1373, and 1430.

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

**INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

**HJR16-1015** by Representative(s) Roupe and Lee, Mitsch Bush; also Senator(s) Merrifield and Baumgardner--Concerning the recognition of the United States Olympic Training Center in Colorado Springs, and, in connection therewith, celebrating the Olympic Games and its athletes.

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

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

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

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

Upon request of Majority Leader Scheffel, **SB16-174** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Thursday, April 21 and was placed at the end of the Third Reading of Bills Final Passage Calendar of Thursday, April 21.

**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:

**SB16-026** by Senator(s) Woods; also Representative(s) Melton and Ransom--Concerning personal rights of protected persons, and, in connection therewith, limiting the ability of a guardian to isolate a protected person and making an appropriation.

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

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

**SB16-182** by Senator(s) Lambert, Grantham, Steadman; also Representative(s) Young, Hamner, Rankin--Concerning technical revisions to the statutes governing the division of vocational rehabilitation.

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

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

**SB16-036** by Senator(s) Neville T. and Jahn; also Representative(s) Kraft-Tharp and Sias--Concerning surety requirements when a taxpayer appeals a tax bill that the state or a local government claims is due.

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

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

**SB16-155** by Senator(s) Cadman; also Representative(s) Garnett and Nordberg--Concerning a state sales and use tax exemption for historic aircraft on loan for public display.

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

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

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

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

**SB16-040** by Senator(s) Holbert; also Representative(s) Pabon--Concerning changes to the requirements for owners of a licensed marijuana business, and, in connection therewith, making an appropriation.

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

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

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 Third Reading of Bills -- Final Passage Calendar (SB16-130, SB16-117, SB16-174) of Thursday, April 21 was laid over until Friday, April 22, 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 calendar of Thursday, April 21 was laid over until Friday, April 22, retaining its place on the calendar.

- General Orders -- Second Reading of Bills -- Consent Calendar: HB16-1391, HB16-1287.
- General Orders -- Second Reading of Bills: SB16-162, SB16-183, SB16-178, SB16-005, SB16-097, SB16-086, SB16-002, SB16-154, HB16-1101, HB16-1354, HB16-1367.
- Consideration of House Amendments to Senate Bills: SB16-102.
- Consideration of House Adherence: HB16-1183.
- Consideration of Governor's Appointments--Consent Calendar:
  - Member of the Juvenile Parole Board.
  - Members of the State Plumbing Board.
  - Member of the State Electrical Board.
- Consideration of Governor's Appointments:
  - Members of the Board of Governors of the Colorado State University System.

Senate in recess.                      Senate reconvened.

**COMMITTEE OF REFERENCE REPORTS**

Finance            After consideration on the merits, the Committee recommends that **HB16-1160** be **referred** to the Committee on Appropriations with favorable recommendation.

Finance            After consideration on the merits, the Committee recommends that **HB16-1009** be **referred** to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SCR16-002** be referred to the Committee on Appropriations with favorable recommendation. 1  
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Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy 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: 3  
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MEMBERS OF THE  
COLORADO WILDLIFE HABITAT STAMP COMMITTEE

for terms expiring December 31, 2019: 9  
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John William Gale of Arvada, Colorado, to serve as a representative of national or regionally recognized conservation organizations whose missions are focused on nongame wildlife and whose membership is composed primarily of nongame wildlife, appointed; 15  
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Dan Christopher Prenzlow of Colorado Springs, Colorado, to serve as an ex officio member representing the Division of Wildlife, reappointed. 20  
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Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy 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: 23  
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MEMBER OF THE  
COAL MINE BOARD OF EXAMINERS

for a term expiring July 1, 2017: 29  
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Michael Gregg McFarland of Dolores, Colorado, a coal mine owner, operator, manager, or other mine official actively engaged in underground mining, and occasioned by the resignation of Alan Reed Bayles of Hotchkiss, Colorado, appointed. 35  
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Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy 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: 40  
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MEMBERS OF THE  
MINED LAND RECLAMATION BOARD

for terms expiring March 1, 2019: 45  
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Thomas Earl Brubaker, Parker, Colorado, an individual with substantial experience in the mining industry, reappointed; 51  
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John William Singletary of Pueblo, Colorado, an individual with substantial experience in the agricultural industry, appointed. 54  
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Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy 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  
GROUND WATER COMMISSION

for terms expiring May 1, 2019:

Daniel L. Farmer of Colorado Springs, Colorado, to serve as a resident agriculturist from the Upper Big Sandy Basin, appointed;

Blake Austin Gourley of Springfield, Colorado, to serve as a resident agriculturist from the Southern High Plains Basin, appointed.

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy 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  
STATE BOARD OF THE  
GREAT OUTDOORS COLORADO TRUST FUND

for terms expiring April 15, 2019:

Jennifer Lynn Dice of Boulder, Colorado, to serve as an Unaffiliated from the Second Congressional District, appointed;

Thomas Michael Burke of Grand Junction, Colorado, to serve as a Republican from the Third Congressional District, reappointed;

Chana Gail Reed of Lamar, Colorado, to serve as a Republican from the Fourth Congressional District, reappointed.

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy 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 WATER CONSERVATION BOARD

for terms expiring February 12, 2019:

James R.L. "Jay" Gallagher of Steamboat Springs, Colorado, to serve as a representative from the Yampa-White drainage basin and as a Democrat, reappointed;

Patricia L. Wells of Denver, Colorado, to serve as a representative from the City and County of Denver and as a Democrat, reappointed;

Russell Lloyd George of Rifle, Colorado, to serve as a representative from the main Colorado drainage basin and as a Republican, reappointed.

Agriculture, Natural Resources, & Energy After consideration on the merits, the Committee recommends that **HB16-1276** 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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Agriculture, Natural Resources, & Energy      After consideration on the merits, the Committee recommends that **HB16-1256** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, strike lines 8 through 10 and substitute:

"(M) INCREASED AGRICULTURAL PRODUCTION; AND  
(N) ANY OTHER BENEFIT."

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**INTRODUCTION OF BILLS -- FIRST READING**

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

- SB16-195** by Senator(s) Grantham, Lambert, Steadman; also Representative(s) Rankin, Hamner, Young--Concerning the annual appropriation of money in the central fund for veterans centers to the state department of human services.  
Appropriations
- HB16-1348** by Representative(s) Ryden; also Senator(s) Todd--Concerning a specific crime of cruelty to a certified police working dog.  
Judiciary
- HB16-1366** by Representative(s) Primavera; also Senator(s) Steadman--Concerning enhanced protections for purchasers of hearing aids.  
Business, Labor, & Technology
- HB16-1373** by Representative(s) Singer; also Senator(s) Holbert and Marble--Concerning requiring school districts to adopt a policy permitting the use of medical marijuana by students authorized to use medical marijuana.  
Education

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**CORRECTION OF BILL ASSIGNMENT**

The President announced that **HB16-1337**, which was originally introduced on Wednesday, April 20 and assigned to the Committee on Judiciary, will be assigned to the Committee on Judiciary and the Committee on Agriculture, Natural Resources, & Energy.

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

Approved:

Bill L. Cadman  
President of the Senate

Attest:

Effie Ameen  
Secretary of the Senate

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