

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
Second Regular Session

114th Legislative Day

Thursday, May 5, 2016

Prayer	By the chaplain, Randle Loeb, community minister, Denver.	10
Call to Order	By the President at 9:00 a.m.	11
Roll Call	Present--34 Excused--1, Aguilar. Present later--1, Aguilar.	12
Quorum	The President announced a quorum present.	13
Pledge	By Senator Merrifield.	14
Reading of Journal	On motion of Senator Steadman, reading of the Journal of Wednesday, May 4, 2016, was dispensed with, and the Journal was approved as corrected by the Secretary.	15

SENATE SERVICES REPORT

Correctly Engrossed: SB16-184 and 208.
Correctly Reengrossed: SB16-001, 003, 087, 186, 199, 204, 209, and 211.
Correctly Revised: HB16-1436 and 1448; HJR16-1024 and 1026.
Correctly Rerevised: HB16-1080, 1097, 1172, 1277, 1332, 1348, 1363, 1378, 1393, 1394, 1427, 1451, 1453, and 1457.
Correctly Enrolled: SB16-147, 178, 190, and 198; SCR16-006.

MESSAGE FROM THE HOUSE

May 4, 2016

Mr. President:

The House has postponed indefinitely SB16-002, 130, 162, 185. The bills are returned herewith.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

SB16-212 by Senator(s) Crowder; --Concerning aligning changes made to the federal child care and development block grant reauthorization of 2014 to the twelve-month eligibility requirement of the Colorado child care assistance program.
State, Veterans, & Military Affairs

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 expressions of personal privilege.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

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:

HB16-1368 by Representative(s) Tyler; also Senator(s) Martinez Humenik--Concerning the codification of current practice for the management of records of governmental agencies.

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	E	Heath	Y	Lambert	Y	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: Newell and Steadman.

SB16-208 by Senator(s) Hill, Steadman; also Representative(s) Williams and Sias--Concerning maintaining the same funding calculation for a charter school that converts from a district charter school to an institute charter school or from an institute charter school to a district charter school.

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	E	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, Cadman, Cooke, Crowder, Donovan, Grantham, Guzman, Heath, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Tate, Todd, Ulibarri, and Woods.

HB16-1436 by Representative(s) Pabon and Ginal, Dore, Lundeen, Becker K., Brown, Conti, Landgraf, Lontine, Navarro, Primavera, Rankin, Thurlow, Windholz; also Senator(s) Newell and Baumgardner--Concerning a prohibition on edible marijuana products that are shaped in a manner to entice a child.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	E	Heath	Y	Lambert	N	Scott	N
Baumgardner	Y	Hill	N	Lundberg	Y	Sonnenberg	N
Carroll	N	Hodge	Y	Marble	N	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	N	Merrifield	N	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	N
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	N	Kefalas	Y	Roberts	N	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, and Todd.

SB16-184 by Senator(s) Cadman and Scheffel; also Representative(s) Willett--Concerning market-based rates for interest on judgments.

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

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	E	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	Y	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, Cooke, Crowder, Grantham, Holbert, Lambert, Lundberg, Marble, Martinez Humenik, and Roberts.

HB16-1448 by Representative(s) Singer; also Senator(s) Kefalas and Lundberg, Todd--Concerning the relative guardianship assistance program.

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		E 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: Donovan, Garcia, Guzman, Heath, Hill, Hodge, Jahn, Johnston, Jones, Kerr, Martinez Humenik, Merrifield, Newell, Roberts, Scheffel, Steadman, and Ulibarri.

Senate in recess. Senate reconvened.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB16-021

THIS REPORT AMENDS THE
REENGROSSED BILL

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on SB16-021, concerning recognition of the third Saturday in May as a state holiday, and, in connection therewith, designating the third Saturday in May as "Public Lands Day", has met and reports that it has agreed upon the following:

1. That the House recede from its amendments made to the bill, as the amendments appear in the rerevised bill.

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Amend reengrossed bill, page 2, strike lines 2 through 25.

Strike page 3.

Page 4, strike lines 1 through 3.

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Renumber succeeding sections accordingly.

Respectfully submitted,

Senate Committee:
(signed)
Jerry Sonnenberg, Chairman
Randy Baumgardner
Kerry Donovan

House Committee:
(signed)
Diane Mitsch-Bush
K.C. Becker

MESSAGE FROM THE HOUSE

May 5, 2016

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB16-1385, amended as printed in House Journal, May 3.

The House has adopted the First Report of the First Conference Committee on SB16-021, as printed in House Journal, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB16-062, as printed in House Journal, and has repassed the bill as so amended. The bill is returned herewith.

The House has voted to concur in the Senate amendments to HB16-1423, 1377, 1080, 1277, 1378, 1394, 1453, 1457 and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

May 5, 2016

We herewith transmit:

Without comment, as amended, HB16-1385.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB16-1385 by Representative(s) Singer; also Senator(s) Newell--Concerning the definition of child abuse or neglect in the "Colorado Children's Code" as it relates to the use of or exposure to substances, and, in connection therewith, making an appropriation. State, Veterans, & Military Affairs

COMMITTEE OF REFERENCE REPORTS

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1345** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 8, line 17, strike "2019." and substitute "2023."

Page 9, strike lines 10 through 17 and substitute:
"JUVENILE WHO HAS COMMITTED A SEXUAL OFFENSE SHALL PROVIDE THE OFFENDER WITH A CHOICE OF TWO APPROPRIATE TREATMENT PROVIDER AGENCIES STAFFED BY APPROVED PROVIDERS UNLESS THE SUPERVISING AGENCY DOCUMENTS IN THE FILE THAT, BASED UPON THE NATURE OF THE PROGRAM OFFERED, THE NEEDS OF THE OFFENDER, OR THE PROXIMITY OF THE APPROPRIATE TREATMENT PROVIDER AGENCY, FEWER THAN TWO SUCH AGENCIES CAN MEET THE SPECIFIC NEEDS OF THE OFFENDER, ENSURE THE SAFETY OF THE PUBLIC, AND PROVIDE THE SUPERVISING AGENCY WITH REASONABLE ACCESS TO THE TREATMENT PROVIDER AGENCY AND THE OFFENDER DURING THE COURSE OF TREATMENT. ONCE SELECTED, THE TREATMENT PROVIDER AGENCY MAY NOT BE CHANGED BY THE OFFENDER WITHOUT THE".

Page 11, line 8, strike "(50.5) (o)" and substitute "(54) (b)".

Page 11, line 15, strike "(50.5)" and substitute "(54)".

Page 11, line 16, strike "2019:" and substitute "2023:".

Page 11, line 17, strike "(o)" and substitute "(b)".

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1429** be **referred** to the Committee on Appropriations with favorable recommendation.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1441** be **postponed indefinitely**.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1003** be **postponed indefinitely**.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1455** be **postponed indefinitely**.

Finance

After consideration on the merits, the Committee recommends that **HB16-1398** 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 19 through 25 and substitute:

"(3) ON AND AFTER THE FIRST ANNIVERSARY OF THE DATE THAT THE CONTRACT IS AWARDED, THE STATE DEPARTMENT SHALL INCLUDE IN ITS PRESENTATION TO THE LEGISLATIVE COMMITTEES OF REFERENCE AS REQUIRED BY SECTION 2-7-203, C.R.S., THE PROGRESS OF THE SELECTED ENTITY IN IMPLEMENTING THIS PART 7."

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Finance

After consideration on the merits, the Committee recommends that **HB16-1077** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, line 2, after "COMMITTEE," insert "AND IN ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION,".

Page 6, after line 15 add:

"(3) THE COMMITTEE SHALL PROPOSE LEGISLATION ONLY TO STREAMLINE, REDUCE, OR REPEAL PROVISIONS OF THE COLORADO REVISED STATUTES. THE COMMITTEE SHALL ENDEAVOR TO RECOMMEND LEGISLATION THAT CUMULATIVELY HAS, IN EACH LEGISLATIVE SESSION, NO NET INCREASE IN THE NUMBER OF LAWS OR PAGES OF LAWS IN THE COLORADO REVISED STATUTES.".

Finance

After consideration on the merits, the Committee recommends that **HB16-1380** be **postponed indefinitely**.

Finance

After consideration on the merits, the Committee recommends that **HB16-1194** be **referred** to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB16-1383** be **referred** to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB16-1328** be **referred** to the Committee on Appropriations with favorable recommendation.

Health & Human Services

The Committee on Health & Human Services 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 COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2016:

Debra Jean Herrera of Ignacio, Colorado, to serve as a Democrat from the Third Congressional District, and occasioned by the resignation of Patricia Dawn Ziegler of Durango, Colorado, appointed;

for a term expiring July 1, 2020:

Debra Jean Herrera of Ignacio, Colorado, to serve as a Democrat from the Third Congressional District, reappointed.

Health & Human Services

The Committee on Health & Human Services 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 HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD

for a term expiring May 15, 2019:

Thomas Allen Rennell of Englewood, Colorado, a member of a statewide organization of health insurance carriers, reappointed.

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Finance After consideration on the merits, the Committee recommends that **HB16-1440** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, strike lines 2 through 10.

Renumber succeeding sections accordingly.

Finance After consideration on the merits, the Committee recommends that **HB16-1286** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB16-1424** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB16-1031** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB16-1234** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB16-1288** be referred to the Committee on Appropriations with favorable recommendation.

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 OIL AND GAS CONSERVATION COMMISSION

for terms expiring July 1, 2016:

Richard D. Alward of Grand Junction, Colorado, to serve as a member with formal training or substantial experience in soil conservation or reclamation, west of the Continental Divide and as a Democrat, reappointed;

Thomas L. Compton of Hesperus, Colorado, to serve as a member actively engaged in agricultural production, as a royalty owner, west of the Continental Divide and as a Republican, reappointed;

for terms expiring July 1, 2019:

Tommy E. Holton of Fort Lupton, Colorado, to serve as a local government official and as a Republican, reappointed;

Andrew Lawrence Spielman of Denver, Colorado, to serve as a member with formal or substantial experience in environmental or wildlife protection and as a Democrat, reappointed;

James William Hawkins of Golden, Colorado, to serve as a member with substantial experience in the oil and gas industry and with a college degree in petroleum geology or petroleum engineering, and as a Democrat, reappointed;

John H. Benton of Littleton, Colorado, to serve as a member with substantial experience in the oil and gas industry and with a college degree in petroleum geology or petroleum engineering, and as a Republican, reappointed.

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State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **SB16-212** 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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State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB16-1376** be postponed indefinitely.

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State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB16-1374** be postponed indefinitely.

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State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB16-1371** be postponed indefinitely.

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State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB16-1036** be postponed indefinitely.

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State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB16-1322** be postponed indefinitely.

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State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB16-1443** be postponed indefinitely.

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SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB16-085, 134, and 168.

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Senate in recess. Senate reconvened.

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MESSAGE FROM THE HOUSE

May 5, 2016

Mr. President:

The House has postponed indefinitely SB16-001, 097, 117. The bills are returned herewith.

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COMMITTEE OF REFERENCE REPORTS

Finance

After consideration on the merits, the Committee recommends that **SB16-210** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 11, line 6, strike "7;" and substitute "7, INCLUDING THE STATE HIGHWAY 7 AND INTERSTATE 25 INTERCHANGE;".

Page 11, line 17, strike "62ND" and substitute "VASQUEZBOULEVARDAND 60TH".

Page 11, line 23, after "ROCK;" add "AND".

Page 12, strike lines 2 through 7.

Page 12, line 14, after "FREEWAY;" add "AND".

Page 12, line 17, strike the second "AND".

Page 12, strike lines 18 and 19.

Page 12, line 27, strike "REGION:" and substitute: "REGION, IN THE STATE HIGHWAY 21 CORRIDOR, CONSTRUCTION OF A NEW GRADE SEPARATED INTERCHANGE AT THE RESEARCH PARKWAY INTERCHANGE;".

Page 13, strike lines 1 through 14.

Page 14, line 3, after "PROJECT;" add "AND".

Page 14, strike lines 7 through 13.

Page 14, line 27, strike "76" and substitute "70".

Page 15, strike lines 8 through 17 and substitute "14; AND".

Re-number succeeding subparagraph accordingly.

Page 16, line 12, after "PROGRAM;" add "AND".

Page 16, strike lines 13 through 26 and substitute: "(II) ASSET MANAGEMENT PROGRAM PROJECTS.".

Page 19, strike line 9 and substitute "(a) as follows:".

Page 19, strike lines 23 and 24 and substitute "~~in the following manner:~~
(f) ~~No more than ninety percent of such revenues~~ AND shall SPECIFICALLY be".

Page 19, line 27, strike "(A)" and substitute "(I)".

Page 20, after line 3 insert: "(II) (Deleted by amendment, L. 2000, p. 1741, § 1, effective June 1, 2000.)".

Page 20, line 4, strike "(B)" and substitute "(III)".

Page 20, strike lines 8 through 10 and substitute "HIGHWAYS.".

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Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

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

Appropriations After consideration on the merits, the Committee recommends that HB16-1286 be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that HB16-1288 be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that HB16-1234 be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that HB16-1040 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations After consideration on the merits, the Committee recommends that SB16-194 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 21, after line 14 add:

"(4) ANY LOCAL GOVERNMENT OR COMBINATION OF LOCAL GOVERNMENTS FOR WHICH THE COMMISSION APPROVES PROJECTS SHALL BEAR THE ACTUAL DIRECT COSTS INCURRED BY THE DEPARTMENT OF REVENUE IN IMPLEMENTING THIS PART 11, INCLUDING ANY COSTS TO MODIFY THE STATE'S TAX ADMINISTRATION SOFTWARE."

Page 27, line 20, strike "EXPENSES" and substitute "EXPENSES, INCLUDING ANY COSTS INCURRED IN MODIFYING THE STATE'S TAX ADMINISTRATION SOFTWARE AS NECESSARY TO IMPLEMENT PART 11 OF ARTICLE 4 OF TITLE 43, C.R.S.,".

Appropriations After consideration on the merits, the Committee recommends that HB16-1077 be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that HB16-1362 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 19, strike line 13 and substitute "\$42,283 is appropriated to the department of personnel for use by the department for the administrative support of the".

Page 19, line 16, strike "committee" and substitute "department".

Page 19, line 17, strike "committee" and substitute "department".

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Appropriations

After consideration on the merits, the Committee recommends that **HB16-1047** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 31, strike lines 26 through 27 and substitute:

"SECTION 5. Appropriation. (1) For the 2016-17 state fiscal year, \$331,019 is appropriated to the department of regulatory agencies. This appropriation is from the division of professions and occupations cash fund created in section 24-34-105 (2) (b) (I), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) \$104,973 for use by the division of professions and occupations for personal services, which amount is based on an assumption that the division will require an additional 0.3 FTE:

(b) \$65,241 for use by the division professions and occupations for operating expenses:

(c) \$113,300 for the purchase of information technology services; and

(d) \$47,505 for the purchase of legal services.

(2) For the 2016-17 state fiscal year, \$113,300 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from reappropriated funds received from the department of regulatory agencies under paragraph (c) of subsection (1) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of regulatory agencies.

(3) For the 2016-17 state fiscal year, \$47,505 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of regulatory agencies under paragraph (d) of subsection (1) of this section and is based on an assumption that the department of law will require an additional 0.1 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of regulatory agencies.

(4) For the 2016-17 state fiscal year, \$31,600 is appropriated to the Colorado bureau of investigation in the department of public safety. This appropriation is from reappropriated funds received from the department of regulatory agencies under paragraph (b) of subsection (1) of this section and is based on an assumption that the department of public safety will require an additional 0.3 FTE. To implement this act, the bureau may use this appropriation as follows:

(a) \$5,555 for personal services, which amount is based on an assumption that the bureau will require an additional 0.3 FTE:

(b) \$26,045 for use by the bureau for operating expenses."

Page 32, strike lines 1 through 24.

Appropriations

After consideration on the merits, the Committee recommends that **HB16-1398** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB16-1429** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB16-1290** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 9, strike "2022;" and substitute "2019;".

Page 2, line 10, strike "2021;" and substitute "2018;".

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Appropriations	After consideration on the merits, the Committee recommends that HB16-1345 be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4
Appropriations	After consideration on the merits, the Committee recommends that HB16-1404 be referred to the Committee of the Whole with favorable recommendation.	5 6 7 8
Appropriations	After consideration on the merits, the Committee recommends that HB16-1117 be referred to the Committee of the Whole with favorable recommendation.	9 10 11 12
Appropriations	After consideration on the merits, the Committee recommends that HB16-1261 be referred to the Committee of the Whole with favorable recommendation.	13 14 15 16
Appropriations	After consideration on the merits, the Committee recommends that HB16-1211 be referred to the Committee of the Whole with favorable recommendation.	17 18 19 20
Appropriations	After consideration on the merits, the Committee recommends that SB16-196 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	21 22 23 24 25
	Amend Education Committee Report, dated May 4, 2016, page 1, line 13, strike "ALLOCATED BY THE DEPARTMENT" and substitute "APPROPRIATED BY THE GENERAL ASSEMBLY".	26 27 28 29
	Page 2, line 5, strike "ALLOCATED" and substitute "APPROPRIATED BY THE GENERAL ASSEMBLY".	30 31 32
	Page 2, line 6, strike "PROGRAM" and substitute "PROGRAM,".	33 34
	Page 2, line 7, after "MAY" insert "REQUEST THAT THE GENERAL ASSEMBLY".	35 36 37
	Page 2, after line 13 insert: "Page 10 of the bill, line 27, strike "Governing Boards" and substitute " <u>Governing Boards</u> ".	38 39 40 41
Appropriations	After consideration on the merits, the Committee recommends that HB16-1112 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.	42 43 44 45 46
	Amend reengrossed bill, page 7, before line 18 insert:	47 48
	"SECTION 3. Appropriation. For the 2016-17 state fiscal year, \$100,000 is appropriated to the training veterans to train their own service dogs pilot program fund created in section 26-23-104 (1), C.R.S. This appropriation is from the general fund. The department of human services is responsible for the accounting related to this appropriation."	49 50 51 52 53 54
	Renumber succeeding section accordingly.	55 56
	Page 1, line 102, strike "PROGRAM." and substitute "PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."	57 58 59 60
Appropriations	After consideration on the merits, the Committee recommends that HB16-1424 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	61 62 63 64
Appropriations	After consideration on the merits, the Committee recommends that HB16-1289 be referred to the Committee of the Whole with favorable recommendation.	65 66 67 68 69

Appropriations	After consideration on the merits, the Committee recommends that HB16-1194 be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4
Appropriations	After consideration on the merits, the Committee recommends that HB16-1383 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	5 6 7 8 9
	Amend reengrossed bill, page 7, strike lines 22 through 27 and substitute "year, \$500,000 is appropriated to the department of human services. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the child welfare predictive analytic pilot program."	10 11 12 13 14 15
	Page 8, strike lines 1 through 14.	16 17 18
Appropriations	After consideration on the merits, the Committee recommends that HB16-1386 be referred to the Committee of the Whole with favorable recommendation.	19 20 21 22
Appropriations	After consideration on the merits, the Committee recommends that HB16-1175 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	23 24 25 26 27
Appropriations	After consideration on the merits, the Committee recommends that SB16-210 be referred to the Committee of the Whole with favorable recommendation.	28 29 30 31
Appropriations	After consideration on the merits, the Committee recommends that HB16-1328 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	32 33 34 35 36
	Amend reengrossed bill, page 11, strike lines 18 through 22 and substitute:	37 38
	"(4) (a) ON OR BEFORE JANUARY 1, 2017, AND ON OR BEFORE JULY 1, 2017, AND EVERY JANUARY 1 AND JULY 1 THEREAFTER, THE DIVISION OF YOUTH CORRECTIONS SHALL REPORT ON ITS USE OF SECLUSION IN ANY SECURE STATE-OPERATED OR STATE-OWNED FACILITY TO THE".	39 40 41 42 43
	Page 11, line 24, strike "BIANNUAL".	44 45
	Page 11, line 25, strike "BIANNUAL".	46 47
	Page 12, strike lines 24 through 27.	48 49
	Page 13, strike lines 1 through 12.	50 51
	Page 13, strike lines 17 through 25 and substitute:	52 53
	"(6) PRIOR TO JANUARY 1, 2018, THE DIVISION OF YOUTH CORRECTIONS SHALL MEET THE REQUIREMENTS OF THIS SECTION TO THE EXTENT THAT IT IS ABLE USING ITS CURRENT REPORTING MECHANISMS. THE DIVISION OF YOUTH CORRECTIONS SHALL FULLY COMPLY WITH ALL REQUIREMENTS OF THIS SECTION ON OR BEFORE JANUARY 1, 2018."	54 55 56 57 58
	Page 16, lines 3 and 4, strike "PURPOSES AND, IF NECESSARY," and substitute "PURPOSES. THE DIVISION OF YOUTH CORRECTIONS SHALL SHARE WITH THE WORKING GROUP, ON AN ONGOING BASIS, AVAILABLE DATA REGARDING TIME SPENT IN CONFINEMENT BY YOUTH FOR ADMINISTRATIVE REASONS, AS DESCRIBED IN SECTION 26-20-104.5 (3), IN ANY SECURE STATE-OPERATED AND STATE-OWNED FACILITY. IF NECESSARY, THE WORKING GROUP MAY".	59 60 61 62 63 64 65 66
	Page 16, line 8, strike "LIMITING".	67 68
	Page 16, line 10, strike "BIANNUAL" and substitute "SEMIANNUAL".	69

Page 16, line 19, strike "BIANNUAL" and substitute "SEMIANNUAL".

Appropriations

After consideration on the merits, the Committee recommends that **SB16-200** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated May 4, 2016, page 1, before line 1 insert:

"Amend printed bill, page 2, line 5, strike "fund." and substitute "fund - repeal."."

Page 1 of the report, line 5, strike "OF THIS SECTION".

Page 1 of the report, line 6, strike "OFFICE." and substitute "OFFICE. THE DIRECTOR SHALL IMPLEMENT THE DUTIES AND POWERS CONFERRED BY THIS SECTION WITHIN EXISTING RESOURCES."."

Page 1 of the report, after line 6 insert:

"Page 2 of the printed bill, strike lines 10 through 21.

Page 3 of the bill, strike lines 1 through 5 and substitute:

"(2) THE DIRECTOR SHALL ANNUALLY PROVIDE AN UPDATE REGARDING THE DIRECTOR'S ACTIVITIES TO A JOINT HEARING OF THE GENERAL ASSEMBLY'S COMMITTEES WITH JURISDICTION OVER NATURAL RESOURCES."."

Page 1 of the report, strike lines 12 through 18.

Page 2 of the report, strike lines 1 through 10 and substitute:

"Page 3 of the bill, before line 17 insert:

"(4) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2019."."

Page 3 of the bill, strike lines 17 through 27.

Page 4 of the bill, strike lines 1 through 13.

Renumber succeeding section accordingly."

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB16-1005, 1027, 1063, 1088, 1100, 1177, 1187, 1197, 1227, 1228, 1257, 1262, 1263, 1264, 1265, 1276, 1278, 1280, 1329, 1330, 1333, 1335, 1336, 1339, 1359, 1387, 1390, 1391, 1397, 1401.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

SB16-213

by Senator(s) Scheffel and Ulibarri; also Representative(s) Singer and DelGrosso-- Concerning developing practices for construction defect litigation. State, Veterans, & Military Affairs

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Call of the Senate.

Call raised.

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 to consider a Special Orders -- Second Reading of Bills Consent Calendar and Special Orders -- Second Reading of Bills Calendar.

On motion of Majority Leader Scheffel, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 15 (c) was suspended to allow the Senate to consider bills not previously printed in the Senate Calendar.

On motion of Majority Leader Scheffel, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB16-1040, HB16-1175, HB16-1328, HB16-1112, and HB16-1424 were made Special Orders at 7:09 p.m.

Committee of the Whole

The hour of 7:09 p.m. having arrived, Senator Sonnenberg 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 Sonnenberg 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:

HB16-1040 by Representative(s) Singer, Becker K., Hamner; also Senator(s) Holbert--Concerning auxiliary emergency communications in the state, and, in connection therewith, establishing the auxiliary emergency communications unit in the office of emergency management in the department of public safety, and making an appropriation.

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

HB16-1175 by Representative(s) Primavera and Nordberg, Ryden, Saine; also Senator(s) Jahn and Neville T., Cooke, Heath--Concerning the administration of the property tax exemptions for qualifying seniors and disabled veterans, and, in connection therewith, making an appropriation.

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

HB16-1328 by Representative(s) Lee and McCann, Court, Fields, Kagan, Kraft-Tharp, Lontine, Primavera, Salazar, Arndt, Buckner, Garnett, Ginal, Melton, Tyler; also Senator(s) Lambert and Lundberg--Concerning statutory provisions related to the use of seclusion on individuals, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1078, 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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HB16-1112 by Representative(s) Landgraf, Lontine, Priola, Roupe, Windholz, Ginal, Carver, Brown, Joshi, Pabon, Rankin, Ryden, Saine, Thurlow; also Senator(s) Crowder--Concerning the creation of the training veterans to train their own service dogs pilot program.

Amendment No. 1, State, Veterans, & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1021-1022, and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1077, and placed in members' bill files.)

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

HB16-1424 by Representative(s) Vigil, Conti, Roupe; also Senator(s) Garcia--Concerning qualifications for the administration of medications in facilities, and, in connection therewith, making an appropriation.

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 Sonnenberg, 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: HB16-1040, HB16-1175, HB16-1328 as amended, HB16-1112 as amended, HB16-1424.

On motion of Majority Leader Scheffel, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB16-1422, SB16-196, HB16-1031, HB16-1160, SB16-194, HB16-1383, HB16-1362, HB16-1286, HB16-1077, HB16-1345, SB16-212, HB16-1404, HB16-1117, HB16-1211, HB16-1047, HB16-1290, HB16-1398, HB16-1288, HB16-1440, HB16-1261, HB16-1234, HB16-1289, SB16-210, HB16-1386, HB16-1429, HB16-1194, and SB16-200 were made Special Orders at 7:17 p.m.

Committee of the Whole The hour of 7:17 p.m. having arrived, Senator Sonnenberg moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Sonnenberg 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:

- SB16-196**

by Senator(s) Cooke and Cadman; also Representative(s) Landgraf and Young--Concerning the creation of a pilot program for inclusive higher education for persons with intellectual and developmental disabilities, and, in connection therewith, making an appropriation.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, May 4, page(s) 1053, and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1077, and placed in members' bill files.)

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

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- HB16-1031**

by Representative(s) Carver; also Senator(s) Cooke--Concerning a requirement that legislative council staff present a study of the transportation commission districts of the state to the transportation legislation review committee.

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

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- HB16-1160**

by Representative(s) Ginal and Lontine, Esgar, Primavera, Ryden; also Senator(s) Tate--Concerning the continuation of the surgical assistant and surgical technologist registration 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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- SB16-194**

by Senator(s) Scott; also Representative(s) Moreno and DelGrosso--Concerning funding for state highway and regional transit projects that directly enable commercial development in adjacent areas that have been deemed undeveloped or underdeveloped due to inadequate state highway and transportation systems.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, April 29, page(s) 923-924, and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1075, and placed in members' bill files.)

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

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- HB16-1383**

by Representative(s) Singer and Fields; also Senator(s) Grantham--Concerning a predictive data analytic technology for child welfare pilot program, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1078, and placed in members' bill files.)

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

Amend reengrossed bill, page 6, line 13, strike "POLICIES." and substitute "POLICIES AND PRIVACY AND SECURITY RULES RECOMMENDED BY THE JOINT TECHNOLOGY COMMITTEE. THE TECHNOLOGY VENDOR SHALL NOT SHARE IN ANY FORMAT, INCLUDE IN ANY DATABASE ALIGNMENTS, OR SHARE ACROSS DATABASES, ANY PERSONALLY IDENTIFIABLE DATA THAT IS COLLECTED WITH ANY ENTITY THAT IS NOT A COUNTY OR AGENCY THAT IS A PARTICIPANT IN THE PILOT PROGRAM .".

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

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- HB16-1362** by Representative(s) Young; also Senator(s) Martinez Humenik--Concerning the transfer of the functions of the license plate auction group to the Colorado disability funding committee, and, in connection therewith, making an appropriation. 1
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Amendment No. 1, Finance Committee Amendment. 5
(Printed in Senate Journal, May 3, page(s) 1023, and placed in members' bill files.) 6
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Amendment No. 2, Appropriations Committee Amendment. 8
(Printed in Senate Journal, May 5, page(s) 1075, and placed in members' bill files.) 9
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As amended, ordered revised and placed on the calendar for third reading and final 11
passage. 12
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(For further action, see amendments to the report of the Committee of the Whole.) 14
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- HB16-1286** by Representative(s) Becker K., Singer, Vigil; also Senator(s) Tate--Concerning an increase 17
in the percentage of a landowner's costs incurred in performing wildfire mitigation measures 18
that may be claimed by the landowner for purposes of the wildfire mitigation income tax 19
deduction. 20
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Ordered revised and placed on the calendar for third reading and final passage. 22
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- HB16-1077** by Representative(s) Moreno; also Senator(s) Martinez Humenik--Concerning the recreation 25
of the statutory revision committee, and, in connection therewith, making an appropriation. 26
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Amendment No. 1, Finance Committee Amendment. 28
(Printed in Senate Journal, May 5, page(s) 1071, and placed in members' bill files.) 29
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As amended, ordered revised and placed on the calendar for third reading and final 31
passage. 32
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- SB16-212** by Senator(s) Crowder; --Concerning aligning changes made to the federal child care and 35
development block grant reauthorization of 2014 to the twelve-month eligibility 36
requirement of the Colorado child care assistance program. 37
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Ordered engrossed and placed on the calendar for third reading and final passage. 39
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- HB16-1117** by Representative(s) Kagan and Saine, Carver, Lundeen, Court, Becker K., Coram, Dore, 42
Lawrence, Rosenthal, Salazar; also Senator(s) Aguilar and Cooke, Marble--Concerning a 43
requirement that custodial interrogations related to investigations for certain serious felonies 44
be electronically recorded, and, in connection therewith, making an appropriation. 45
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Ordered revised and placed on the calendar for third reading and final passage. 47
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- HB16-1211** by Representative(s) Melton; also Senator(s) Baumgardner and Jahn--Concerning licensing 50
marijuana transporters, and, in connection therewith, making an appropriation. 51
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Amendment No. 1, Transportation Committee Amendment. 53
(Printed in Senate Journal, April 27, page(s) 890, and placed in members' bill files.) 54
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As amended, ordered revised and placed on the calendar for third reading and final 56
passage. 57
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- HB16-1047** by Representative(s) Buck and Winter; also Senator(s) Newell and Roberts--Concerning the 60
adoption of an interstate compact to allow physicians to become licensed in multiple states 61
through an expedited licensure process, and, in connection therewith, making an 62
appropriation. 63
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Amendment No. 1, Health & Human Services Committee Amendment. 65
(Printed in Senate Journal, April 22, page(s) 822, and placed in members' bill files.) 66
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Amendment No. 2, Appropriations Committee Amendment. 68
(Printed in Senate Journal, May 5, page(s) 1076, and placed in members' bill files.) 69

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

HB16-1345 by Representative(s) Kagan, Court; also Senator(s) Cooke--Concerning the continuation of the sex offender management board, and, in connection therewith, implementing the recommendations of the 2015 sunset report issued by the department of regulatory agencies.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1070, and placed in members' bill files.)

Amendment No. 2(L.024), by Senator Aguilar.

Amend the reengrossed bill, page 5, after line 5 insert:

"(II) TO REVISE THE GUIDELINES AND STANDARDS DEVELOPED PURSUANT TO THIS PARAGRAPH (b) THE BOARD SHALL ESTABLISH A COMMITTEE CONSISTING OF AT LEAST EIGHTY PERCENT OF WHICH ARE TREATMENT PROVIDERS. THE COMMITTEE SHALL MAKE RECOMMENDATIONS TO THE BOARD."

Renumber succeeding subparagraphs accordingly.

Page 7, line 19, after "(j)" insert "(I)".

Page 8, after line 15 insert:

"(II) TO REVISE THE GUIDELINES AND STANDARDS DEVELOPED PURSUANT TO THIS PARAGRAPH (j) THE BOARD SHALL ESTABLISH A COMMITTEE CONSISTING OF AT LEAST EIGHTY PERCENT OF WHICH ARE TREATMENT PROVIDERS. THE COMMITTEE SHALL MAKE RECOMMENDATIONS TO THE BOARD."

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

HB16-1404 by Representative(s) Duran and Wist; also Senator(s) Cooke and Guzman--Concerning the regulation of fantasy contests, and in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1023, and placed in members' bill files.)

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

HB16-1290 by Representative(s) Esgar and Kraft-Tharp; also Senator(s) Kerr and Hill--Concerning an extension of the transitional jobs program, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1076, and placed in members' bill files.)

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

HB16-1398 by Representative(s) Young and Landgraf; also Senator(s) Martinez Humenik and Steadman--Concerning the requirement that the department of human services use a request-for-proposal process to contract with an entity to implement recommendations of the respite care task force, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1070, 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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- HB16-1288** by Representative(s) Kraft-Tharp and Wist; also Senator(s) Tate and Merrifield--
Concerning the creation of an industry infrastructure grant program within the state work
force development council, and, in connection therewith, creating the industry infrastructure
fund and making an appropriation. 1
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Amendment No. 1, Business, Labor & Technology Committee Amendment. 7
(Printed in Senate Journal, May 3, page(s) 1001, and placed in members' bill files.) 8
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As amended, ordered revised and placed on the calendar for third reading and final 10
passage. 11
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- HB16-1440** by Representative(s) Wilson and Pettersen; also Senator(s) Johnston and Holbert--
Concerning reducing administrative requirements that pertain to the elementary and
secondary public education system. 15
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Amendment No. 1, Finance Committee Amendment. 19
(Printed in Senate Journal, May 5, page(s) 1072, and placed in members' bill files.) 20
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As amended, ordered revised and placed on the calendar for third reading and final 22
passage. 23
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- HB16-1261** by Representative(s) Pabon, Conti, Court, Foote, Garnett, Kagan, Priola, Roupe, Wilson;
also Senator(s) Jahn and Baumgardner--Concerning continuation of the Colorado retail
marijuana code, and, in connection therewith, implementing the recommendations of the
2015 sunset report issued by the department of regulatory agencies and making an
appropriation. 26
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Ordered revised and placed on the calendar for third reading and final passage. 32
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- HB16-1234** by Representative(s) Klingenschmitt and Singer, Everett, Lundeen, Wilson, Windholz; also
Senator(s) Merrifield and Marble--Concerning the consideration of methods for selecting
state assessment alternatives that maintain the existing state assessment requirements, and,
in connection therewith, making an appropriation. 36
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Ordered revised and placed on the calendar for third reading and final passage. 41
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- HB16-1289** by Representative(s) Duran and Esgar; also Senator(s) Garcia and Crowder--Concerning
incentives for local education providers to encourage high school students to successfully
complete career development course work. 44
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Ordered revised and placed on the calendar for third reading and final passage. 48
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- SB16-210** by Senator(s) Baumgardner, Scott; also Representative(s) DelGrosso and Priola--
Concerning infrastructure funding, and, in connection therewith, requiring the transportation
commission to submit a ballot question to the voters of the state at the November 2016,
2017, or 2018 election which, if approved, would authorize the state, with no increase in
any taxes, to issue additional transportation revenue anticipation notes for the purpose of
addressing critical priority transportation needs in the state by financing transportation
projects and would exclude note proceeds and investment earnings on note proceeds from
state fiscal year spending limits; and dedicating five percent of state sales and use tax net
revenue for state transportation purposes and one percent of such revenue for other capital
construction purposes. 51
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Amendment No. 2, Finance Committee Amendment. 61
(Printed in Senate Journal, May 5, page(s) 1072, and placed in members' bill files.) 62
63
64
Amendment No. 2(L.020), by Senator Hill. 65
66
Amend printed bill, page 11, strike lines 22 and 23 and substitute: 67
68
"(VIII) IN THE INTERSTATE 25 SOUTH CORRIDOR, ADDITION OF A 69

NEW LANE IN EACH DIRECTION BETWEEN MONUMENT AND CASTLE ROCK AND ASSOCIATED INTERCHANGE RECONSTRUCTION, MAINLINE RECONSTRUCTION, AND SAFETY AND INTELLIGENT TRANSPORTATION SYSTEM IMPROVEMENTS;".

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

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

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

HB16-1429 by Representative(s) Pettersen and Wilson; also Senator(s) Kerr--Concerning alternative education campuses, and, in connection therewith, making an appropriation.

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

HB16-1194 by Representative(s) Mitsch Bush and Becker J., Priola, Dore, Rankin, Arndt, Lebsock, Williams, Pabon, Brown, Danielson, Duran, Esgar, Ginal, Vigil; also Senator(s) Sonnenberg--Concerning a temporary income tax deduction for a portion of lease payments received by a qualified taxpayer for leasing the taxpayer's agricultural asset to an eligible beginning farmer or rancher.

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

SB16-200 by Senator(s) Sonnenberg; also Representative(s) Vigil, Coram--Concerning the creation of a position in the office of the governor that coordinates the permitting of water projects.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, May 4, page(s) 1053-1054, and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1078-1079, and placed in members' bill files.)

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

HB16-1422 by Representative(s) Hamner and Rankin; also Senator(s) Lambert and Steadman--Concerning financing public schools, and, in connection therewith, making an appropriation.

Amendment No. 1(L.031), by Senators Lambert and Steadman.

Amend reengrossed bill, page 7, strike lines 25 through 27 and substitute:

"(VIII) UNUSUAL FINANCIAL BURDEN CAUSED BY A SIGNIFICANT REDUCTION IN THE ASSESSED VALUE OF REAL PROPERTY IN A DISTRICT WHOSE STATE SHARE OF TOTAL PROGRAM FUNDING PURSUANT TO SECTION 22-54-106 BEFORE THE APPLICATION OF THE NEGATIVE FACTOR PURSUANT TO SECTION 22-54-104 (5) (g) WAS LESS THAN ONE-HALF OF ONE PERCENT OF THE DISTRICT'S TOTAL PROGRAM FUNDING IN THE PREVIOUS BUDGET YEAR, CAUSING THE DISTRICT TO RECEIVE A STATE SHARE THAT IS ONE-HALF OF ONE PERCENT OF TOTAL PROGRAM FUNDING OR GREATER BEFORE APPLICATION OF THE NEGATIVE FACTOR IN THE BUDGET YEAR IN WHICH THE ASSESSED VALUE IS REDUCED. THE AMOUNT OF SUPPLEMENTAL ASSISTANCE PAID PURSUANT TO THIS SUBPARAGRAPH (VIII) SHALL NOT EXCEED THE AMOUNT OF THE REDUCTION IN THE DISTRICT'S STATE SHARE AS A RESULT OF THE NEGATIVE FACTOR."

Page 8, strike lines 1 through 8.

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Amendment No. 2(L.048), by Senators Steadman and Aguilar.

- Strike the Lambert and Steadman floor amendment (HB1422_L.031).
- Amend reengrossed bill, page 7, line 11, strike "and (1) (c.5)".
- Page 7, line 25, strike "UNUSUAL" and substitute "COMMENCING WITH THE 2015-16 BUDGET YEAR, UNUSUAL".
- Page 8, line 7, after "EXCEED" insert "FIFTY PERCENT OF".
- Page 8, strike lines 9 through 15.

Amendment No. 3(L.044), by Senator Johnston.

- Amend reengrossed bill, page 11, after line 4 insert:
"SECTION 10. In Colorado Revised Statutes, 22-30.5-104.7, **add** (6) as follows:
22-30.5-104.7. Charter school networks - authority - definitions. (6) EACH CHARTER SCHOOL NETWORK SHALL COMPLY WITH THE AUDIT REQUIREMENTS IMPOSED ON CHARTER SCHOOLS AS FOLLOWS:
(a) THE CHARTER SCHOOL NETWORK SHALL BE AUDITED AS AN ORGANIZATION, TREATING THE CHARTER SCHOOL NETWORK AS A SINGLE LEGAL ENTITY; EXCEPT THAT THE AUTHORIZING SCHOOL DISTRICT FOR A CHARTER SCHOOL THAT IS INCLUDED IN THE NETWORK MAY REQUEST AND THE NETWORK SHALL PROVIDE AN AUDIT OF THE SCHOOL DISTRICT'S CHARTER SCHOOL;
(b) THE CHARTER SCHOOL NETWORK SHALL REPORT AS SUPPLEMENTARY INFORMATION IN ITS AUDITED FINANCIAL STATEMENTS A BALANCE SHEET AND STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES USING THE MODIFIED ACCRUAL BASIS OF ACCOUNTING FOR EACH CHARTER SCHOOL CAMPUS THAT HAS A SEPARATE SCHOOL CODE WITHIN THE CHARTER SCHOOL NETWORK; AND
(c) THE AUDIT MUST ADDRESS COMPLIANCE WITH PARAGRAPH (d) OF SUBSECTION (2) OF THIS SECTION.
SECTION 11. In Colorado Revised Statutes, 22-30.5-504, **amend** (7.5) (b) introductory portion and (8) as follows:
22-30.5-504. Institute chartering authority - institute charter schools - exclusive authority - retention - recovery - revocation. (7.5) (b) A charter school, a charter school applicant, or an organization that represents charter schools may request revocation of a local board of education's exclusive authority only on the grounds that the local board, since the date that the local board received exclusive authority, has demonstrated a pattern of failing to comply with one or more of the provisions of the "~~Charter Schools Act~~", ~~part 1 of this article~~ PARAGRAPH (a) OF SUBSECTION (5) OF THIS SECTION. A charter school, a charter school applicant, or an organization that represents charter schools may not request revocation of a local board of education's exclusive authority solely on the basis of:
(8) Notwithstanding any other provision of this section to the contrary, a local board of education may permit the establishment of one or more institute charter schools within the geographic boundaries of the school district by adopting a favorable resolution and submitting the resolution to the state board. ~~The resolution shall be effective until it is rescinded by resolution of the local board of education~~ AN INSTITUTE CHARTER SCHOOL THAT IS ESTABLISHED WITH PERMISSION GRANTED IN A RESOLUTION ADOPTED BY THE LOCAL BOARD OF THE SCHOOL DISTRICT IN WHICH THE INSTITUTE CHARTER SCHOOL IS LOCATED CONTINUES TO BE AUTHORIZED BY AND ACCOUNTABLE TO THE INSTITUTE REGARDLESS OF LATER ACTIONS BY THE LOCAL BOARD UNLESS THE INSTITUTE CHARTER SCHOOL VOLUNTARILY CONVERTS TO A DISTRICT CHARTER SCHOOL AS PROVIDED IN SUBSECTION (10) OF THIS SECTION.
SECTION 12. In Colorado Revised Statutes, 22-30.5-104, **amend** (7) (e); and **add** (7.5) as follows:
22-30.5-104. Charter school - requirements - authority. (7) (e) Notwithstanding the provisions of paragraphs (b) and (c) of this subsection (7) ~~any~~ OR THE PROVISIONS OF SUBSECTION (7.5) OF THIS

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SECTION, A school district that has space in district facilities that is unoccupied ~~shall be allowed to~~ MAY sell the facilities or use the facilities for a different purpose and ~~shall not be~~ IS NOT required to maintain ownership of the facilities for potential use by a charter school.

(7.5) (a) NO LATER THAN NOVEMBER 1, 2016, AND NO LATER THAN NOVEMBER 1 EACH YEAR THEREAFTER, EACH SCHOOL DISTRICT THAT AUTHORIZES A CHARTER SCHOOL AND THAT HAS OR IS EXPECTING TO HAVE ONE OR MORE VACANT OR UNDERUSED BUILDINGS OR VACANT OR UNDERUSED LAND AVAILABLE DURING THE NEXT SCHOOL YEAR SHALL PREPARE A LIST OF THE VACANT OR UNDERUSED BUILDINGS AND LAND AND PROVIDE THE LIST, UPON REQUEST, TO CHARTER SCHOOLS AUTHORIZED BY THE SCHOOL DISTRICT, CHARTER SCHOOL APPLICANTS, AND OTHER INTERESTED PERSONS. THE SCHOOL DISTRICT SHALL ALSO POST ON ITS WEBSITE A NOTICE THAT THE LIST OF UNDERUSED AND VACANT BUILDINGS AND LAND IS AVAILABLE TO INTERESTED PERSONS UPON REQUEST. THE SCHOOL DISTRICT MUST PROVIDE THE LIST WITHIN TWO SCHOOL DAYS AFTER RECEIVING A REQUEST. NO LATER THAN FORTY-FIVE DAYS AFTER THE SCHOOL DISTRICT POSTS THE AVAILABILITY OF THE LIST OR AFTER RECEIVING THE LIST, WHICHEVER IS LATER, A CHARTER SCHOOL OF THE SCHOOL DISTRICT OR CHARTER APPLICANT MAY APPLY TO THE SCHOOL DISTRICT TO USE THE BUILDING OR THE SCHOOL DISTRICT LAND AS THE LOCATION FOR THE CHARTER SCHOOL. THE LOCAL BOARD OF EDUCATION SHALL REVIEW EACH APPLICATION FOR USE AND, IN A PUBLIC MEETING HELD NO LATER THAN NINETY DAYS AFTER THE SCHOOL DISTRICT POSTS THE AVAILABILITY OF THE LIST, APPROVE OR DISAPPROVE EACH APPLICATION FOR USE OF THE BUILDING OR SCHOOL DISTRICT LAND. IF THE LOCAL BOARD OF EDUCATION DISAPPROVES AN APPLICATION FOR USE, IT MUST EXPLAIN AT THE PUBLIC MEETING AND PROVIDE IN WRITING TO THE APPLICANT THE REASONS FOR DISAPPROVAL.

(b) FOR PURPOSES OF THIS SUBSECTION (7.5), A BUILDING IS CONSIDERED UNDERUSED IF IT HAS UNUSED CAPACITY TO ACCOMMODATE TWO HUNDRED FIFTY STUDENTS OR MORE.

SECTION 13. In Colorado Revised Statutes, 22-30.5-112, **amend** (2) (a.4) (I), (2) (a.4) (II), and (3) (c); and **add** (3) (a) (IV) as follows:

22-30.5-112. Charter schools - financing - definitions - guidelines. (2) (a.4) (I) Within ninety days after the end of each fiscal year, each school district shall provide to each charter school within its district an itemized accounting of all its central administrative overhead costs. IF THE ITEMIZED ACCOUNTING INCLUDES SERVICES PROVIDED TO THE CHARTER SCHOOL BY SCHOOL DISTRICT PERSONNEL, THE ITEMIZED ACCOUNTING, AT THE CHARTER SCHOOL'S REQUEST, MUST INCLUDE A LIST OF THE PERSONNEL POSITIONS AND SERVICES PROVIDED BY PERSONS IN EACH POSITION. The actual central administrative overhead costs ~~shall be~~ ARE the amount charged to the charter school. Any difference, within the limitations of subparagraph (III) of paragraph (a) of this subsection (2) and paragraph (a.3) of this subsection (2), between the amount initially charged to the charter school and the actual cost ~~shall~~ MUST be reconciled and paid to the owed party.

(II) Within ninety days after the end of each fiscal year, each school district shall provide to each charter school within its district an itemized accounting of all the actual costs of district services the charter school chose at its discretion to purchase from the district calculated in accordance with paragraph (b) of this subsection (2). IF THE ITEMIZED ACCOUNTING INCLUDES SERVICES PURCHASED BY THE CHARTER SCHOOL THAT WERE PROVIDED BY SCHOOL DISTRICT PERSONNEL, THE ITEMIZED ACCOUNTING, AT THE CHARTER SCHOOL'S REQUEST, MUST INCLUDE A LIST OF THE PERSONNEL POSITIONS AND SERVICES PROVIDED BY PERSONS IN EACH POSITION. Any difference between the amount initially charged to the charter school and the actual cost shall be reconciled and paid to the owed party.

(3) (a) (IV) THE SCHOOL DISTRICT SHALL DISTRIBUTE TO EACH CHARTER SCHOOL ON A PER PUPIL BASIS ANY OTHER STATE OR FEDERAL MONEY THAT THE SCHOOL DISTRICT RECEIVES BASED ON A PER PUPIL CALCULATION IF THE CALCULATION INCLUDES PUPILS ENROLLED IN THE CHARTER SCHOOL.

(c) Within ninety days after the end of each budget year, each school district shall provide to each charter school of the school district an itemized accounting of all the actual special education costs that the

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school district incurred for the applicable budget year and the basis of any per pupil charges for special education that the school district imposed against the charter school for the applicable budget year. IF THE ITEMIZED ACCOUNTING INCLUDES SERVICES PROVIDED TO THE CHARTER SCHOOL BY SCHOOL DISTRICT PERSONNEL, THE ITEMIZED ACCOUNTING, AT THE CHARTER SCHOOL'S REQUEST, MUST INCLUDE A LIST OF THE PERSONNEL POSITIONS AND SERVICES PROVIDED BY PERSONS IN EACH POSITION.

SECTION 14. In Colorado Revised Statutes, 22-54-124, **amend** (1) (a) as follows:

22-54-124. State aid for charter schools - use of state education fund money - definitions. (1) As used in this section:

(a) "Capital construction" means construction, demolition, remodeling, MAINTAINING, financing, purchasing, or leasing of land, buildings, or facilities used to educate pupils enrolled in or to be enrolled in a charter school.

SECTION 15. In Colorado Revised Statutes, 24-6-402, **amend** (1) (d); and **add** (1) (a) (III) as follows:

24-6-402. Meetings - open to public - definitions. (1) For the purposes of this section:

(a) (III) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), "LOCAL PUBLIC BODY" INCLUDES THE GOVERNING BOARD OF AN INSTITUTE CHARTER SCHOOL THAT IS AUTHORIZED PURSUANT TO PART 5 OF ARTICLE 30.5 OF TITLE 22, C.R.S.

(d) (I) "State public body" means any board, committee, commission, or other advisory, policy-making, rule-making, decision-making, or formally constituted body of any state agency, state authority, governing board of a state institution of higher education including the regents of the university of Colorado, a nonprofit corporation incorporated pursuant to section 23-5-121 (2), C.R.S., or the general assembly, and any public or private entity to which the state, or an official thereof, has delegated a governmental decision-making function but does not include persons on the administrative staff of the state public body.

(II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (d), "STATE PUBLIC BODY" DOES NOT INCLUDE THE GOVERNING BOARD OF AN INSTITUTE CHARTER SCHOOL THAT IS AUTHORIZED PURSUANT TO PART 5 OF ARTICLE 30.5 OF TITLE 22, C.R.S.

SECTION 16. In Colorado Revised Statutes, 22-30.5-104, **amend** (6) (b) (II) as follows:

22-30.5-104. Charter school - requirements - authority. (6) (b) The state board shall promulgate rules that list the automatic waivers for all charter schools. In promulgating the list of automatic waivers, the state board shall consider the overall impact and complexity of the requirements specified in the statute and the potential consequences that waiving the statute may have on the practices of a charter school. Notwithstanding any provision of this paragraph (b) to the contrary, the state board shall not include the following statutes on the list of automatic waivers:

(II) Section 22-32-109 (1) (n), ~~(f) and (1) (n) (H) (B)~~; concerning the annual school calendar AND TEACHER-PUPIL CONTACT HOURS; and".

Renumber succeeding sections accordingly.

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB16-1362 by Representative(s) Young; also Senator(s) Martinez Humenik--Concerning the transfer of the functions of the license plate auction group to the Colorado disability funding committee, and, in connection therewith, making an appropriation.

Senator Martinez Humenik moved to amend the Report of the Committee of the Whole to show that the Finance Committee amendment to HB16-1362 did not pass.

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 Sonnenberg, 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: SB16-196 as amended, SB16-194 as amended, SB16-212, SB16-210 as amended, SB16-200 as amended, HB16-1031, HB16-1160, HB16-1383 as amended, HB16-1362 as amended, HB16-1286, HB16-1077 as amended, HB16-1117, HB16-1211 as amended, HB16-1047 as amended, HB16-1345 as amended, HB16-1404 as amended, HB16-1290 as amended, HB16-1398 as amended, HB16-1288 as amended, HB16-1440 as amended, HB16-1261, HB16-1234, HB16-1289, HB16-1386, HB16-1429, HB16-1194, HB16-1422 as amended.

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, May 5 was laid over until Friday, May 6, retaining its place on the calendar.

- Consideration of House Amendments to Senate Bills: SB16-135, SB16-189.
- Consideration of House Adherence: HB16-1183.
- Consideration of Conference Committee Reports: SB16-062.

On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Friday, May 6, 2016.

Approved:

Bill L. Cadman
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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