

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
Second Regular Session

63rd Legislative Day

Tuesday, March 15, 2016

Prayer	By the chaplain, Pastor David Armstrong, Northside Baptist Church, Northglenn.	10
Call to Order	By the President at 9:00 a.m.	11
Pledge	By Senator Holbert.	12
Roll Call	Present--33 Absent--2, Kerr, Todd. Present later--2, Kerr, Todd.	13
Quorum	The President announced a quorum present.	14
Reading of Journal	On motion of Senator Sonnenberg, reading of the Journal of Monday, March 14, 2016, was dispensed with, and the Journal was approved as corrected by the Secretary.	15

COMMITTEE OF REFERENCE REPORTS

Judiciary	The Committee on <u>Judiciary</u> 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:	16
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MEMBER OF THE
COLORADO COMMISSION ON JUDICIAL DISCIPLINE

effective July 1, 2015, for a term expiring June 30, 2019:

Bruce Casias of Lakewood, Colorado, to serve as a non-attorney, appointed.

Judiciary	The Committee on <u>Judiciary</u> 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:	17
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MEMBER OF THE
JUVENILE PAROLE BOARD

for a term expiring November 15, 2018:

Gretchen Jaime Russo, RN, BSN, JD, of Denver, Colorado, to serve as a representative from the Colorado Department of Human Services, and occasioned by the resignation of Dennis Raymond Desparrois of Denver, Colorado, appointed.

Judiciary	After consideration on the merits, the Committee recommends that HB16-1094 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	18
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Judiciary

After consideration on the merits, the Committee recommends that **SB16-131** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, line 2, strike "COURT" and substitute "COURT, WITH CONSIDERATION AND INPUT FROM THE PROTECTED PERSON WHEN POSSIBLE,".

page 1, line 103, after "A" insert "FIDUCIARY RECEIVES NOTICE THAT A".

Page 1, line 104, strike "IS" and substitute "HAS BEEN".

Judiciary

After consideration on the merits, the Committee recommends that **SB16-133** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, strike lines 13 through 27.

Page 4, strike lines 1 through 6.

Reorder succeeding sections accordingly.

Page 16, after line 17 insert:

"15-2.5-505. Applicability - limitations. NOTHING IN THIS PART 5 MAY BE CONSTRUED AS PERMITTING ANY TRANSFER THAT VIOLATES THE "COLORADO UNIFORM FRAUDULENT TRANSFERS ACT", ARTICLE 8 OF TITLE 38, C.R.S.

SECTION 9. Inclusion of official comments. The revisor of statutes shall include, as nonstatutory matter, following each section of the "Colorado Uniform Powers of Appointment Act", article 2.5 of title 15, C.R.S., the full text of the official comment to each such section contained in the official volume containing the "Uniform Powers of Appointment Act" issued by the Uniform Law Commission, with any changes in the official comments to correspond to Colorado changes in the uniform act. The revisor shall prepare the comments for approval by the committee on legal services."

Reorder succeeding section accordingly.

Business, Labor, & Technology

The Committee on Business, Labor, & Technology 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 BOARD OF ASSESSMENT APPEALS

for a term expiring July 1, 2016:

Amy J. Williams, MAI, of Hayden, Colorado, a member engaged in agriculture, reappointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB16-141** be **postponed indefinitely**.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB16-143** be **referred** to the Committee on Finance with favorable recommendation.

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SENATE SERVICES REPORT

Correctly Printed: SB16-155 and 156; SJR16-016, 017, 018, and 019.
Correctly Engrossed: SJR16-015.
Correctly Revised: HB16-1168 and 1236.
Correctly Rerevised: HB16-1061 and 1122.

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

SJR16-019 by Senator(s) Kefalas and Crowder; also Representative(s) Landgraf and Arndt-- Concerning the designation of March 15, 2016, as "Colorado Arc Day".

On motion of Senator Kefalas, the resolution was read at length and **adopted** by 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		

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

THIRD READING OF BILLS -- FINAL PASSAGE

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

HB16-1236 by Representative(s) Primavera, Brown, Esgar, Ginal, Joshi, Landgraf, Lontine, McCann, Ryden; also Senator(s) Crowder--Concerning continuation of the infection control advisory committee.

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	N
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	N	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

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

Co-sponsor(s) added: Aguilar, Donovan, Guzman, Heath, Jones, Kefalas, Merrifield, Newell, Roberts, and Todd.

HB16-1168 by Representative(s) Ginal and Danielson, Landgraf, Pettersen, Primavera, Singer, Tyler; also Senator(s) Scott--Concerning the continuation of the rural alcohol and substance abuse prevention and treatment program.

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

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	Y
Baumgardner	N	Hill	N	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	N	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

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

Co-sponsor(s) added: Aguilar, Carroll, Donovan, Guzman, Heath, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, Merrifield, Newell, Roberts, Steadman, and Todd.

Committee of the Whole On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Cooke was called to act as Chair.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB16-1163 by Representative(s) Rankin, Hamner, Young; also Senator(s) Grantham, Lambert, Steadman--Concerning appropriations from the noxious weed management fund.

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

HB16-1193 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning granting electronic access to court information to attorneys under contract with the office of the respondent parents' counsel.

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

HB16-1170 by Representative(s) Vigil and Coram, Brown; also Senator(s) Sonnenberg and Garcia-- Concerning the continuation of the division of racing events in the department of revenue, and, in connection therewith, implementing recommendation 1 of the 2015 sunset report of the department of regulatory agencies.

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

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

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB16-1163, HB16-1193, HB16-1170.

Committee of the Whole On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB16-1090 by Representative(s) McCann; also Senator(s) Jahn--Concerning the conditions under which a person may assist another for compensation in obtaining the proceeds of a foreclosure sale after all liens have been satisfied.

(Amended in General Orders as printed in Senate journal, March 14, page(s) 413.)

Amendment No. 1, Business, Labor, & Technology Committee Amendment.

(Printed in Senate Journal, March 10, page(s) 387-388, and placed in members' bill files.)

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

Strike the Business, Labor, and Technology Committee Report, dated March 9, 2016, and substitute:

"Amend reengrossed bill, strike everything below the enacting clause and substitute:

SECTION 1. Legislative declaration. The general assembly finds, determines, and declares that an agreement under which a person undertakes to recover or assist in recovering an amount due to the owner of property in foreclosure, as described in sections 4, 5, and 6 of this act, meets the current definition of a "foreclosure consulting contract" under section 6-1-1103 (5), C.R.S. This act is not intended to, and shall not be construed to, affect any pending prosecution or litigation that involves a foreclosure consultant or foreclosure consulting contract or in which the application of section 6-1-1103 (5), C.R.S., is an issue.

SECTION 2. In Colorado Revised Statutes, 6-1-105, **add** (1) (iii) as follows:

6-1-105. Deceptive trade practices. (1) A person engages in a deceptive trade practice when, in the course of the person's business, vocation, or occupation, the person:

(iii) KNOWINGLY ENTERS INTO, OR ATTEMPTS TO ENFORCE, AN AGREEMENT REGARDING THE RECOVERY OF AN OVERBID ON FORECLOSED PROPERTY IF THE AGREEMENT CONCERNS THE RECOVERY OF FUNDS IN THE POSSESSION OF:

(I) A PUBLIC TRUSTEE PRIOR TO TRANSFER OF THE FUNDS TO THE STATE TREASURER UNDER SECTION 38-38-111, C.R.S.; OR

(II) THE STATE TREASURER AND DOES NOT MEET THE REQUIREMENTS FOR SUCH AN AGREEMENT AS SPECIFIED IN SECTION 38-13-128.5, C.R.S.

SECTION 3. In Colorado Revised Statutes, 6-1-1103, **repeal** (4) (a) (IX) as follows:

6-1-1103. Definitions. As used in this part 11, unless the context otherwise requires:

(4) (a) "Foreclosure consultant" means a person who does not, directly or through an associate, take or acquire any interest in or title to a homeowner's property and who, in the course of such person's business, vocation, or occupation, makes a solicitation, representation, or offer to a home owner to perform, in exchange for compensation from the home owner or from the proceeds of any loan or advance of funds, a service that the person represents will do any of the following:

(IX) ~~Assist the home owner in obtaining from the beneficiary, mortgagee, or grantee of the lien in foreclosure, or from counsel for such beneficiary, mortgagee, or grantee, the remaining or excess proceeds from the foreclosure sale of the residence in foreclosure.~~

SECTION 4. In Colorado Revised Statutes, 38-38-111, **amend** (3) (a) and (3) (b); and **add** (2.5) (c) as follows:

38-38-111. Treatment of an overbid - definition - agreements to assist in recovery of overbid prohibited - penalty. (2.5) (c) AN AGREEMENT TO PAY COMPENSATION TO RECOVER OR ASSIST IN RECOVERING AN AMOUNT DUE TO THE OWNER FROM THE PUBLIC TRUSTEE UNDER SUBSECTION (2) OF THIS SECTION IS NOT ENFORCEABLE. A PERSON WHO INDUCES OR ATTEMPTS TO INDUCE ANOTHER PERSON TO ENTER INTO SUCH AN AGREEMENT COMMITS A MISDEMEANOR, AS DEFINED IN SECTION 18-1.3-504, C.R.S., AND IS SUBJECT TO IMPRISONMENT IN COUNTY JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO TEN THOUSAND DOLLARS, OR BOTH.

(3) (a) ~~Unless~~ WHEN the property is sold by the sheriff, and all OF the SALE proceeds of the sale are MUST BE deposited into the registry of the court. Any unclaimed remaining overbid from a foreclosure sale held prior to September 1, 2012, shall be transferred by the officer to the county treasurer within ninety calendar days after the expiration of all redemption periods as provided in section 38-38-302 and held in escrow, and any unclaimed remaining overbid from a foreclosure sale held on or after September 1, 2012, shall be held by the officer in escrow. In either case, the remaining overbid shall be held for ~~five years~~ SIX MONTHS from the date of the sale. The county treasurer or officer, whomever holds the remaining overbid in escrow, shall be answerable for the funds without interest at any time within the ~~five-year~~ SIX-MONTH period to ~~such persons as shall be~~ ANY PERSON legally entitled to the funds. Any interest earned on the escrowed funds shall be paid to the county at least annually. Unclaimed remaining overbids that are less than twenty-five dollars and that are not claimed within ~~five years~~ SIX MONTHS from the

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date of sale shall be paid to the general fund of the county, and such moneys paid to the general fund of the county shall become the property of the county. Unclaimed remaining overbids that are equal to or greater than twenty-five dollars and that are not claimed within ~~five years~~ SIX MONTHS from the date of the sale shall be presumed to be ARE unclaimed property for purposes of the "Unclaimed Property Act", ARTICLE 13 OF THIS TITLE, and SHALL BE transferred to the administrator in accordance with ~~such act~~ THAT ARTICLE. After the unclaimed remaining overbids are transferred to the administrator or to the general fund of the county, the county treasurer and officer shall be ARE discharged from any further liability or responsibility for the moneys.

(b) If the unclaimed remaining overbids exceed five hundred dollars and have not been claimed by any person entitled thereto within sixty calendar days ~~from~~ AFTER the expiration of all redemption periods as provided by section 38-38-302, the county treasurer or officer shall, within ninety calendar days ~~from~~ AFTER the expiration of all redemption periods, commence publication of a notice for four weeks, which means publication once each week for five successive weeks, in ~~some~~ A newspaper of general circulation in the county where the subject property is located. The county treasurer is responsible for the notice of an overbid from a foreclosure sale held prior to September 1, 2012, and the officer is responsible for the notice of an overbid from a foreclosure sale held on or after September 1, 2012. The notice shall MUST contain the name of the owner, the owner's address as given in the recorded instrument evidencing the owner's interest, and the legal description and street address, if any, of the property sold at the sale and shall MUST state that an overbid was realized from the sale and that, unless the funds are claimed by the owner or other person entitled thereto within ~~five years~~ ~~from~~ SIX MONTHS AFTER the date of sale, the funds shall be transferred to the state treasurer as part of the "Unclaimed Property Act". The county treasurer or officer, whomever holds the remaining overbid in escrow, shall also mail a copy of the notice to the owner at the best available address.

SECTION 5. In Colorado Revised Statutes, 38-13-128, **add** (6) as follows:

38-13-128. Agreements to locate reported property - general provisions. (6) THIS SECTION DOES NOT APPLY TO AGREEMENTS TO RECOVER OR ASSIST IN RECOVERING UNCLAIMED OVERBIDS TRANSFERRED TO THE ADMINISTRATOR UNDER SECTION 38-38-111.

SECTION 6. In Colorado Revised Statutes, **add** 38-13-128.5 as follows:

38-13-128.5. Agreements to locate reported property - overbids from foreclosure sales. (1) AN AGREEMENT TO PAY COMPENSATION TO RECOVER OR ASSIST IN RECOVERING AN UNCLAIMED OVERBID TRANSFERRED TO THE ADMINISTRATOR UNDER SECTION 38-38-111 IS:

(a) NOT ENFORCEABLE UNLESS ENTERED INTO AT LEAST TWO YEARS AFTER THE DATE OF THE TRANSFER;

(b) ENFORCEABLE IF:

(I) THE AGREEMENT IS IN WRITING AND SIGNED BY THE OWNER, AS DEFINED IN SECTION 38-38-111 (5);

(II) THE AGREEMENT DESCRIBES THE PROPERTY AND THE DATE OF THE FORECLOSURE SALE FROM WHICH THE OVERBID WAS DERIVED;

(III) THE AGREEMENT SETS FORTH THE NATURE OF THE SERVICES TO BE PROVIDED; AND

(IV) THE COMPENSATION TO BE PAID UNDER THE TERMS OF THE AGREEMENT DOES NOT EXCEED:

(A) TWENTY PERCENT OF THE AMOUNT OF THE OVERBID IF ENTERED INTO AT LEAST TWO YEARS, BUT NOT MORE THAN THREE YEARS, AFTER THE DATE OF THE TRANSFER; OR

(B) THIRTY PERCENT OF THE AMOUNT OF THE OVERBID IF ENTERED INTO MORE THAN THREE YEARS AFTER THE DATE OF THE TRANSFER.

(2) A PERSON WHO INDUCES OR ATTEMPTS TO INDUCE ANOTHER PERSON TO ENTER INTO AN AGREEMENT DESCRIBED IN THIS SECTION THAT DOES NOT COMPLY WITH ALL REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION COMMITS A MISDEMEANOR, AS DEFINED IN SECTION 18-1.3-504, C.R.S., AND IS SUBJECT TO IMPRISONMENT IN COUNTY JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO TEN THOUSAND DOLLARS, OR BOTH.

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(3) NOTHING IN SUBSECTION (1) OF THIS SECTION PROHIBITS AN OWNER FROM ASSERTING, AT ANY TIME, THAT A WRITTEN, SIGNED AGREEMENT TO RECOVER OR ASSIST IN RECOVERING AN OVERBID IS BASED ON EXCESSIVE OR UNJUST CONSIDERATION.

(4) THE RESTRICTIONS SET FORTH IN THIS SECTION DO NOT APPLY TO AN AGREEMENT TO PAY COMPENSATION TO RECOVER OR ASSIST IN RECOVERING AN OVERBID OF LESS THAN ONE THOUSAND DOLLARS.

SECTION 7. Act subject to petition - effective date - applicability.

(1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) (a) Sections 5 and 6 of this act apply to the proceeds of foreclosure sales conducted on or after the applicable effective date of this act.

(b) Section 4 of this act applies to the proceeds of foreclosure sales conducted on, after, or up to five years before the applicable effective date of this act."

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

SB16-124 by Senator(s) Grantham; also Representative(s) Priola, Becker K.--Concerning sales and use tax treatment of equipment used for processing recovered materials.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, March 11, page(s) 400, and placed in members' bill files.)

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

SB16-106 by Senator(s) Holbert; also Representative(s) Salazar--Concerning measures to facilitate the efficient administration of Colorado laws governing campaign finance.

Laid over until Thursday, March 17, retaining its place on the calendar.

SB16-083 by Senator(s) Baumgardner, Marble, Cooke, Sonnenberg, Scott, Grantham; also Representative(s) Joshi, Neville P., Becker J., Buck, Wilson, Priola, Nordberg--Concerning a requirement that an elector establish identification for voting purposes by showing a government-issued form of identification that shows a photograph of the eligible elector.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, March 11, page(s) 400, and placed in members' bill files.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB16-124 as amended, SB16-083 as amended, HB16-1090 as amended.

Laid over until Thursday, March 17: SB16-106.

MESSAGE FROM THE HOUSE

March 15, 2016

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB16-1285.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB16-1306, amended as printed in House Journal, March 14.
 HB16-1224, amended as printed in House Journal, March 14.

The House has passed on Third Reading and returns herewith SB16-094.

The House has adopted and returns herewith SJR16-019.

The House has voted to concur in the Senate amendments to HB16-1151 and has repassed the bill as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

March 15, 2016

We herewith transmit:

Without comment, HB16-1285.
 Without comment, as amended, HB16-1224 and 1306.

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

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

MEMBERS OF THE
MEDICAL SERVICES BOARD

for terms expiring July 1, 2017:

Paul Melinkovich, MD, of Denver, Colorado, to serve as a Democrat from the First Congressional District, and as a person with knowledge of medical assistance programs, reappointed;

J. Michael Stahl of Grand Junction, Colorado, to serve as an Unaffiliated from the Third Congressional District, and as a person with knowledge of the delivery of health care, reappointed.

Jessica Lynne Kuhns of Loveland, Colorado, to serve as a Democrat from the Second Congressional District and as a person with knowledge of medical assistance programs, and occasioned by the resignation of Timothy P. Fox of Denver, Colorado, a Democrat from the First Congressional District, appointed;

for a term expiring July 1, 2019:

David Norris Potts of Salida, Colorado, to serve as a Republican from the Fifth Congressional District, and as a person with knowledge of medical assistance programs, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

MEMBERS OF THE
COLORADO CHILDREN'S TRUST FUND BOARD

for terms expiring November 7, 2018:

Laura Jean Hazen of Centennial, Colorado, to serve as a member with knowledge of child abuse prevention, reappointed;

Erika M. McElroy, PhD, of Aurora, Colorado, to serve as a member with knowledge of child abuse prevention, appointed.

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		

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR16-020 by Senator(s) Crowder; also Representative(s) Vigil--Concerning the spread of noxious weeds on federal land.

Laid over until Tuesday, March 29, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

SB16-157 by Senator(s) Cooke and Sonnenberg; also Representative(s) Dore--Concerning management of the process of responding to the federal environmental protection agency's rules for the regulation of carbon dioxide emissions from electric generating units in a manner that maximizes Colorado's ability to control its affairs.
Agriculture, Natural Resources, & Energy

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

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

HB16-1306 by Representative(s) Williams, Arndt; also Senator(s) Holbert--Concerning revision of the state statutes governing mortgage loan originators to conform more closely to applicable federal law, and, in connection therewith, amending, relocating, and repealing provisions in accordance with the federal "Secure and Fair Enforcement for Mortgage Licensing Act of 2008".
Business, Labor, & Technology

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB16-1051, 1064, 1091, 1119, 1284.

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LETTERS OF APPOINTMENT

March 1, 2016

The Honorable Bill Cadman
President of the Colorado State Senate
Colorado State Capitol
200 East Colfax, Room 346
Denver, Colorado 80203

Dear President Cadman:

On behalf of the Board of Regents of the University of Colorado, I am pleased to forward to you the following appointment to the University of Colorado Hospital Authority Board of Directors:

From the 2nd Congressional District: Dori Biester, for a term effective July 1, 2015 and continuing until June 30, 2019 (or until her successor is appointed by the Board of Regents). This will be Ms. Biester's first term on the Hospital Authority Board of Directors.

This appointment was approved by the Board of Regents at the June 23, 2015 regular board meeting. A copy of the resolution to this effect and biographical information are attached.

Per C.R.S. §23-21-503(2), appointments to the Hospital Authority Board of Directors from the congressional districts are subject to the advice and consent of the Senate.

Please let me know if you have any questions.

Sincerely,
(signed)
Cheryl Espinoza
Assistant Secretary to the Board of Regents
Rec'd: 3/10/2016
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

March 1, 2016

The Honorable Bill Cadman
President of the Colorado State Senate
Colorado State Capitol
200 East Colfax, Room 346
Denver, Colorado 80203

Dear President Cadman:

On behalf of the Board of Regents of the University of Colorado, I am pleased to forward to you the following appointment to the University of Colorado Hospital Authority Board of Directors:

From the 3rd Congressional District: Steve Meyer, for a term effective July 1, 2015 and continuing until June 30, 2019 (or until his successor is appointed by the Board of Regents). This will be Mr. Meyer's first term on the Hospital Authority Board of Directors.

This appointment was approved by the Board of Regents at the June 23, 2015 regular board meeting. A copy of the resolution to this effect and biographical information are attached.

Per C.R.S. §23-21-503(2), appointments to the Hospital Authority Board of Directors from the congressional districts are subject to the advice and consent of the Senate.

Please let me know if you have any questions.

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Sincerely,
(signed)
Cheryl Espinoza
Assistant Secretary to the Board of Regents
Rec'd: 3/10/2016
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

On motion of President Cadman, the Senate adjourned until 9:00 a.m., Wednesday,
March 16, 2016.

Approved:

Bill L. Cadman
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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