

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
Second Regular Session

37th Legislative Day

Thursday, February 18, 2016

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Prayer	By the chaplain, Robert Swales, Chaplain of the El Paso County Sheriff's Office, Colorado Springs.	11
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Call to Order	By the President at 9:00 a.m.	14
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Pledge	By Senator Martinez Humenik.	17
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Roll Call	Present--34	19
	Absent--1, Johnston.	20
	Present later--1, Johnston.	21
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Quorum	The President announced a quorum present.	23
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Reading of Journal	On motion of Senator Donovan, reading of the Journal of Wednesday, February 17, 2016, was dispensed with, and the Journal was approved as corrected by the Secretary.	25
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COMMITTEE OF REFERENCE REPORTS

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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB16-032 be postponed indefinitely .	33
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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB16-054 be postponed indefinitely .	39
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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB16-028 be postponed indefinitely .	45
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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB16-043 be postponed indefinitely .	51
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Judiciary	After consideration on the merits, the Committee recommends that SB16-042 be postponed indefinitely .	57
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Judiciary	After consideration on the merits, the Committee recommends that SB16-047 be postponed indefinitely .	62
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- Judiciary After consideration on the merits, the Committee recommends that **SB16-048** be referred to the Committee of the Whole with favorable recommendation. 1
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- Judiciary After consideration on the merits, the Committee recommends that **SB16-065** be amended as follows and as so amended be referred to the Committee on Appropriations with favorable recommendation. 5
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Amend printed bill, strike everything below the enacting clause and substitute: 10
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"SECTION 1. In Colorado Revised Statutes, 18-1.3-603, amend (4) (a), (4) (b) introductory portion, and (4) (b) (I); and add (4) (e) as follows: 12
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18-1.3-603. Assessment of restitution - corrective orders.
(4) (a) (I) Any order for restitution entered pursuant to this section shall be IS a final civil judgment in favor of the state and any victim. Notwithstanding any other civil or criminal statute or rule, any such judgment shall remain REMAINS in force until the restitution is paid in full. The provisions of article 18.5 of title 16, C.R.S., apply notwithstanding the termination of a deferred judgment and sentence or a deferred adjudication. 16
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(II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), TWO YEARS AFTER THE PRESENTATION OF THE DEFENDANT'S ORIGINAL DEATH CERTIFICATE TO THE CLERK OF THE COURT OR THE COURT COLLECTIONS INVESTIGATOR, THE COURT MAY TERMINATE THE REMAINING BALANCE OF THE JUDGMENT AND ORDER FOR RESTITUTION IF, FOLLOWING NOTICE BY THE CLERK OF THE COURT OR THE COURT COLLECTIONS INVESTIGATOR TO THE DISTRICT ATTORNEY, THE DISTRICT ATTORNEY DOES NOT OBJECT AND THERE IS NO EVIDENCE OF A CONTINUING SOURCE OF INCOME OF THE DEFENDANT TO PAY RESTITUTION. THE TERMINATION OF A JUDGMENT AND ORDER PURSUANT TO THIS SUBPARAGRAPH (II) DOES NOT TERMINATE AN ASSOCIATED JUDGMENT AGAINST A DEFENDANT WHO IS JOINTLY AND SEVERALLY LIABLE WITH THE DECEASED DEFENDANT. 24
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(b) Any order for restitution made pursuant to this section shall IS also be deemed to AN order that: 37
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(I) The defendant owes SIMPLE interest from the date of the entry of the order at the rate of ~~twelve~~ EIGHT percent per annum; and 39
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(e) THE CLERK OF THE COURT IS AUTHORIZED TO ADJUST THE UNPAID BALANCE IN THE CASE UPON PROOF THAT ANY RESTITUTION OR RELATED INTEREST AMOUNTS HAVE BEEN OR WILL BE SATISFIED OUTSIDE OF THE COURT REGISTRY AND RECEIPTING PROCESS REGARDLESS OF WHEN THE RESTITUTION ORDER AND JUDGMENT WERE ENTERED. THE ACCOUNTING ADJUSTMENT DOES NOT MODIFY A COURT'S ORDER. 41
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SECTION 2. In Colorado Revised Statutes, 42-2-125, repeal (2.8) as follows: 47
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42-2-125. Mandatory revocation of license and permit.
(2.8) ~~A person whose license has been revoked pursuant to paragraph (o) of subsection (1) of this section shall not be eligible for reinstatement of his or her license until the department receives proof that the person has satisfied any order for restitution entered in connection with the conviction.~~ 49
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SECTION 3. In Colorado Revised Statutes, 19-1-306, add (5) (c) (II.5); and repeal (7) (e) as follows: 55
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19-1-306. Expungement of juvenile delinquent records.
(5) (c) The court may order expunged all records in the petitioner's case in the custody of the court and any records in the custody of any other agency or official if at the hearing the court finds that: 57
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(II.5) (A) THE PETITIONER HAS SATISFIED COURT-ORDERED RESTITUTION OR IS CURRENT ON A RESTITUTION REPAYMENT AGREEMENT WITH THE COURT COLLECTIONS INVESTIGATOR THAT HAS BEEN ENTERED IN THE ELECTRONIC CASE RECORD TO MAKE PAYMENT ON A SCHEDULE PURSUANT TO SECTION 16-18.5-104 (4), C.R.S. 61
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(B) IF, FOLLOWING THE ENTRY OF AN ORDER OF EXPUNGEMENT UNDER THIS SECTION, A PETITIONER FAILS TO MAKE REQUIRED PAYMENTS ON A RESTITUTION REPAYMENT AGREEMENT, A COURT COLLECTIONS INVESTIGATOR MAY, FOLLOWING NOTICE TO THE PETITIONER, FILE A 66
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MOTION WITH THE COURT THAT ENTERED THE ORDER TO HAVE THE ORDER OF EXPUNGEMENT REVERSED.

(7) The following persons are not eligible to petition for the expungement of any juvenile record:

(e) ~~Any person who has failed to pay court-ordered restitution to a victim of the offense that is the basis for the juvenile record.~~

SECTION 4. Effective date - applicability. This act takes effect July 1, 2016, and applies to orders entered on or after said date.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Judiciary

After consideration on the merits, the Committee recommends that **SB16-110** be **amended** as follows and as so amended be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 11, strike "AGENCY," and substitute "AGENCY OR THE NAMED VICTIM OR VICTIM'S DESIGNEE,".

Page 4, lines 8 and 9, strike "THE JUVENILE JUSTICE SYSTEM AS REFERENCED IN PART 1 OF ARTICLE 2 OF TITLE 19, C.R.S.," and substitute "ASSESSMENT CENTERS FOR CHILDREN AS DEFINED IN SECTION 19-1-103 (10.5), C.R.S.,".

Page 4, after line 20 insert:

"SECTION 2. Effective date. This act takes effect September 1, 2016."

Renumber succeeding section accordingly.

SENATE SERVICES REPORT

Correctly Printed: SJR16-008.

Correctly Engrossed: SB16-027, 030, 073, 089, 090, 091, 092, 093, 094 and 095; SJR16-007.

Correctly Reengrossed: SB16-051.

Correctly Rerevised: HB16-1044.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR16-009 by Senator(s) Martinez Humenik; also Representative(s) Brown--Concerning the designation of February 2016 as "Self-care Month".

Laid over one day under Senate Rule 30(b).

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

Senate in recess.

Senate reconvened.

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INTRODUCTION OF BILLS -- FIRST READING

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

SB16-129 by Senator(s) Jones; also Representative(s) Arndt--Concerning the replacement of the word "foster" with "administer" in statute so as to require neutral administration by the Colorado oil and gas conservation commission with respect to its oversight of oil and gas operations.
Agriculture, Natural Resources, & Energy

SB16-130 by Senator(s) Scott, Baumgardner, Cadman, Cooke, Crowder, Hill, Holbert, Scheffel; -- Concerning the methods used by the department of revenue to collect consumer use tax.
Finance

SB16-131 by Senator(s) Tate, Johnston; also Representative(s) Pabon and Willett--Concerning the management of assets for individuals, and, in connection therewith, clarifying that a fiduciary's authority is suspended after a petition for the fiduciary's removal is filed, protecting an adult ward or protected person's right to an attorney post-adjudication, and preventing a fiduciary from paying court costs or fees from out of an estate after receiving notice of an action for the fiduciary's removal.
Judiciary

SB16-132 by Senator(s) Cooke; also Representative(s) Foote--Concerning clarifying that test results relating to certain DUI offenses are not public information.
Judiciary

SB16-133 by Senator(s) Tate, Johnston; also Representative(s) Pabon and Willett--Concerning the transfer of property rights upon the death of a person, and, in connection therewith, including inherited individual retirement accounts and inherited Roth individual retirement accounts as property exempt from levy and sale under writ of attachment or writ of execution, clarifying determination-of-heirship proceedings in probate, and enacting portions of the "Uniform Power of Appointment Act".
Judiciary

SB16-134 by Senator(s) Heath and Garcia, Aguilar, Carroll, Donovan, Guzman, Hodge, Johnston, Jones, Kefalas, Kerr, Merrifield, Newell, Steadman, Ulibarri; also Representative(s) Danielson and Kagan--Concerning professional licensing for military veterans in certain professions.
Business, Labor, & Technology

SB16-135 by Senator(s) Aguilar; also Representative(s) Ginal--Concerning a pharmacist's provision of health care services that have been delegated by another health care provider.
Health & Human Services
Finance

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

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

SB16-027 by Senator(s) Martinez Humenik and Todd; also Representative(s) Primavera and Landgraf--Concerning allowing the option for medicaid clients to obtain prescribed drugs through the mail, and, in connection therewith, reducing an appropriation.

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

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

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

Co-sponsor(s) added: Aguilar, Baumgardner, Carroll, Cooke, Crowder, Donovan, Garcia, Grantham, Guzman, Heath, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Merrifield, Newell, Roberts, Scheffel, Scott, Sonnenberg, and Woods.

SB16-030 by Senator(s) Hodge; also Representative(s) Tyler--Concerning the surcharges for violating motor vehicle weight limits, and, in connection therewith, making an appropriation.

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

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

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

Co-sponsor(s) added: Baumgardner, Cooke, Grantham, Lambert, Lundberg, Marble, Scheffel, Scott, Sonnenberg, Todd, and Woods.

SB16-089 by Senator(s) Lambert, Grantham, Steadman; also Representative(s) Hamner, Young, Rankin--Concerning the establishment of an alternative maximum reserve for the department of state cash fund.

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

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

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

Co-sponsor(s) added: Cooke, Lundberg, and Scheffel.

SB16-091 by Senator(s) Lambert, Grantham, Steadman; also Representative(s) Hamner, Young, Rankin--Concerning timing of the statewide discovery sharing system.

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

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

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

SB16-092 by Senator(s) Grantham, Lambert, Steadman; also Representative(s) Rankin, Hamner, Young--Concerning the authorization of the state to act pursuant to the federal "Oil Pollution Act of 1990".

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

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

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

Co-sponsor(s) added: Crowder.

SB16-093 by Senator(s) Lambert, Grantham, Steadman; also Representative(s) Young, Hamner, Rankin--Concerning transfer of the oversight of independent living services from the department of human services to the department of labor and employment.

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

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

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

Co-sponsor(s) added: Cooke, Garcia, Heath, Hodge, Jahn, Kefalas, Lundberg, Martinez Humenik, Merrifield, Newell, Todd, and Woods.

SB16-095

by Senator(s) Steadman, Grantham, Lambert; also Representative(s) Young, Hamner, Rankin--Concerning the five-year appropriations requirement for bills that change the periods of incarceration in state correctional facilities.

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

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

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

Co-sponsor(s) added: Guzman, Heath, Hodge, Jahn, Jones, Kefalas, Kerr, Lundberg, Merrifield, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB16-094

by Senator(s) Crowder; also Representative(s) Vigil, Brown--Concerning the shared costs of a district public health agency by the counties in the district.

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

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

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

Co-sponsor(s) added: Aguilar, Baumgardner, Donovan, Grantham, Guzman, Heath, Holbert, Jahn, Johnston, Kefalas, Lambert, Lundberg, Martinez Humenik, Merrifield, Newell, Roberts, Scheffel, Scott, Steadman, and Todd.

SB16-073 by Senator(s) Grantham; also Representative(s) Lawrence--Concerning the authority of the state auditor to audit the use of state gaming tax revenues transferred from the state historical fund directly to the gaming cities for historic preservation.

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

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

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

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Garcia, Guzman, Heath, Holbert, Jahn, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Scheffel, Scott, Sonnenberg, Steadman, Todd, and Woods.

SB16-090 by Senator(s) Steadman, Grantham, Lambert; also Representative(s) Young, Hamner, Rankin--Concerning the ability of the department of public health and environment to collect data on marijuana health effects at a regional level.

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

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

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

Co-sponsor(s) added: Crowder, Guzman, Heath, Jahn, Johnston, Jones, Kefalas, Martinez Humenik, Merrifield, Newell, Roberts, Tate, Todd, and Ulibarri.

On motion of Majority Leader Scheffel, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB16-1237, HB16-1238, HB16-1239, HB16-1240, HB16-1242, HB16-1243, HB16-1244, HB16-1245, HB16-1246, HB16-1248, HB16-1249, HB16-1250, HB16-1251, HB16-1252 were made Special Orders at 9:50 a.m.

Committee of the Whole The hour of 9:50 a.m. having arrived, Senator Grantham 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 Grantham 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:

- HB16-1237** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of agriculture.
Ordered revised and placed on the calendar for third reading and final passage.
- HB16-1238** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of corrections.
Ordered revised and placed on the calendar for third reading and final passage.
- HB16-1239** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.
Ordered revised and placed on the calendar for third reading and final passage.
- HB16-1240** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of health care policy and financing.
Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 17, page(s) 199-200, and placed in members' bill files.)
As amended, ordered revised and placed on the calendar for third reading and final passage.
- HB16-1242** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of human services.
Ordered revised and placed on the calendar for third reading and final passage.
- HB16-1243** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the judicial department.
Ordered revised and placed on the calendar for third reading and final passage.
- HB16-1244** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of law.
Ordered revised and placed on the calendar for third reading and final passage.
- HB16-1245** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of military and veterans affairs.
Ordered revised and placed on the calendar for third reading and final passage.

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- HB16-1246** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of personnel.
 Ordered revised and placed on the calendar for third reading and final passage.
- HB16-1248** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of public safety.
 Ordered revised and placed on the calendar for third reading and final passage.
- HB16-1249** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of regulatory agencies.
 Ordered revised and placed on the calendar for third reading and final passage.
- HB16-1250** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of revenue.
 Ordered revised and placed on the calendar for third reading and final passage.
- HB16-1251** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of the treasury.
 Ordered revised and placed on the calendar for third reading and final passage.
- HB16-1252** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning funding for capital construction, and making supplemental appropriations in connection therewith.
 Ordered revised 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 Grantham, 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: HB16-1237, HB16-1238, HB16-1239, HB16-1240 as amended, HB16-1242, HB16-1243, HB16-1244, HB16-1245, HB16-1246, HB16-1248, HB16-1249, HB16-1250, HB16-1251, HB16-1252.

On motion of Majority Leader Scheffel, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB16-1253 and HB16-1254 were made Special Orders at 9:56 a.m.

Committee of the Whole The hour of 9:56 a.m. having arrived, Senator Grantham moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Grantham was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS

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

HB16-1253 by Representative(s) Hamner, Young, Rankin; also Senator(s) Steadman, Grantham, Lambert--Concerning adjustments in the amount of total program funding for public schools for the 2015-16 budget year, and, in connection therewith, making and reducing an appropriation.

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

HB16-1254 by Representative(s) Young, Hamner, Rankin; also Senator(s) Grantham, Lambert, Steadman--Concerning P.O.S.T. board training concerning wrongs to persons with intellectual and developmental disabilities.

Ordered revised 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 Grantham, 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: HB16-1253 and HB16-1254.

MESSAGE FROM THE HOUSE

February 18, 2016

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB16-1083, 1067, 1169, 1151.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
 HB16-1120, amended as printed in House Journal, February 17.
 HB16-1148, amended as printed in House Journal, February 17.
 HB16-1122, amended as printed in House Journal, February 17.

The House has passed on Third Reading and returns herewith SB16-015, SB16-009.

The House has postponed indefinitely SB16-011. The bill is returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

February 18, 2016

We herewith transmit:

Without comment, HB16-1067, 1083, 1151, and 1169.
 Without comment, as amended, HB16-1120, 1122, and 1148.

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

SB16-007 by Senator(s) Roberts; --Concerning the establishment of a multiplier in the renewable energy standard for electricity generated from certain types of biomass to provide an incentive to use materials located within areas that have a high risk of wildfire.
 Laid over until Tuesday, February 23, retaining its place on the calendar.

SB16-121 by Senator(s) Tate; also Representative(s) Garnett--Concerning the percentage of tuition revenue that an institution of higher education is authorized to pledge for contracts for the advancement of money.
Amendment No. 1, Finance Committee Amendment.
 (Printed in Senate Journal, February 12, page(s) 178, and placed in members' bill files.)
 As amended, **lost** on second reading.
 (For further action, see amendments to the report of the Committee of the Whole.)

SB16-034 by Senator(s) Sonnenberg; --Concerning tampering with a deceased human body.
Amendment No. 1, Judiciary Committee Amendment.
 (Printed in Senate Journal, February 4, page(s) 133, and placed in members' bill files.)
Amendment No. 2, Appropriations Committee Amendment.
 (Printed in Senate Journal, February 12, page(s) 179, and placed in members' bill files.)
 As amended, laid over until Friday, February 19, retaining its place on the calendar.

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SB16-079 by Senator(s) Todd, Carroll, Kerr, Martinez Humenik, Merrifield; also Representative(s) Young--Concerning increasing the alignment of postsecondary and workforce readiness initiatives at the secondary education level with postsecondary career and technical education.

Laid over until Friday, February 19, retaining its place on the calendar.

SB16-017 by Senator(s) Neville T.; also Representative(s) Neville P.--Concerning allowing a law-abiding person to carry a concealed handgun without a permit, and, in connection therewith, preserving current laws restricting the carrying of concealed handguns on certain property including school grounds.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, February 12, page(s) 178, and placed in members' bill files.)

As amended, laid over until Friday, February 19, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB16-121 by Senator(s) Tate; also Representative(s) Garnett--Concerning the percentage of tuition revenue that an institution of higher education is authorized to pledge for contracts for the advancement of money.

Senator Tate moved to amend the Report of the Committee of the Whole to show that SB16-121, as amended, did 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 Grantham, 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: SB16-121 as amended.

Laid over until Friday, February 19: SB16-034 as amended, SB16-079, SB16-017 as amended.

Laid over until Tuesday, February 23: SB16-007.

MESSAGE FROM THE GOVERNOR

February 18, 2016

Colorado Senate
Seventieth General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and returned the following to the Secretary of the Senate:

SJR16-003: CONCERNING APPROVAL OF WATER PROJECT REVOLVING FUND ELIGIBILITY LISTS ADMINISTERED BY THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY.

Approved February 18, 2016, at 10:34 a.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Friday, February 19, 2016.

Approved:

Bill L. Cadman
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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