

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

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35th Legislative Day

Tuesday, February 16, 2016

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Prayer	By the chaplain, Dan File, Capitol Commission, Lake City.	10
Musical Presentation	By Caitlyn Ochsner, singing "The Star-Spangled Banner".	11
Call to Order	By the President at 10:00 a.m.	12
Pledge	By Senator Martinez Humenik.	13
Roll Call	Present--33 Excused--2, Aguilar, Kerr. Present later--1, Aguilar.	14
Quorum	The President announced a quorum present.	15
Reading of Journal	On motion of Senator Donovan, reading of the Journal of Friday, February 12, 2016, was dispensed with, and the Journal was approved as corrected by the Secretary.	16

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**SENATE SERVICES REPORT**

**Correctly Engrossed:** SB16-063 and 107.  
**Correctly Revised:** HB16-1018; HJR16-1008.  
**Correctly Enrolled:** SJM16-002, and 003.

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**INTRODUCTION OF RESOLUTIONS**

The following resolution was read by title:

**SJR16-007** by Senator(s) Crowder; also Representative(s) Esgar and Navarro--Concerning awareness day for individuals with intellectual and developmental disabilities.

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

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**INTRODUCTION OF BILLS -- FIRST READING**

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

**SB16-125** by Senator(s) Holbert; also Representative(s) Kraft-Tharp--Concerning the governance of credit unions, and, in connection therewith, authorizing the appointment of an audit committee in lieu of a supervisory committee and allowing the reasonable compensation of an officer, director, or committee member for his or her service to the credit union.  
Finance

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<b>SB16-126</b>	by Senator(s) Roberts; --Concerning parity of state-chartered banks with federally chartered banks regarding frequency of meetings. Business, Labor, & Technology	1 2 3 4 5
<b>SB16-127</b>	by Senator(s) Tate; also Representative(s) Arndt--Concerning the repeal of the "Medical Clean Claims Transparency and Uniformity Act". Business, Labor, & Technology	6 7 8 9 10
<b>SB16-128</b>	by Senator(s) Hodge; also Representative(s) Arndt--Concerning the ability to amend limited terms that govern the operation of a water right without reopening all terms governing the previous approval of the operation. Agriculture, Natural Resources, & Energy	11 12 13 14 15 16
<b>HB16-1030</b>	by Representative(s) Brown and Court; also Senator(s) Donovan--Concerning the use of off-highway vehicles. Local Government Finance	17 18 19 20 21 22
<b>HB16-1039</b>	by Representative(s) Mitsch Bush and Rankin; also Senator(s) Todd and Donovan--Concerning a requirement that noncommercial motor vehicles be appropriately equipped when driving on the interstate 70 mountain corridor during winter storm conditions. Transportation	23 24 25 26 27 28
<b>HB16-1061</b>	by Representative(s) Carver and Nordberg; also Senator(s) Todd--Concerning a requirement that the transportation infrastructure needs of federal military installations be given full consideration during the preparation of the comprehensive statewide transportation plan. Transportation	29 30 31 32 33 34
<b>HB16-1064</b>	by Representative(s) Brown; also Senator(s) Roberts--Concerning local licensing of medical marijuana testing facilities. Business, Labor, & Technology	35 36 37 38 39
<b>HB16-1081</b>	by Representative(s) Ransom and Esgar; also Senator(s) Lundberg and Newell--Concerning removing obsolete reporting provisions in title 25.5 of the Colorado Revised Statutes. Health & Human Services	40 41 42 43 44
<b>HB16-1082</b>	by Representative(s) Garnett and Willett; also Senator(s) Todd--Concerning area vocational schools, and, in connection therewith, changing the name of area vocational schools to area technical colleges and adding representation for area technical colleges to certain boards. Education	45 46 47 48 49 50
<b>HB16-1085</b>	by Representative(s) Thurlow, Brown, Conti, Danielson, Landgraf, Lontine, Pabon, Roupe, Windholz; also Senator(s) Tate--Concerning simplifying the process for returning to a prior name after a decree of dissolution or legal separation has been entered. Judiciary	51 52 53 54 55 56
<b>HB16-1090</b>	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. Business, Labor, & Technology	57 58 59 60 61 62
<b>HB16-1091</b>	by Representative(s) Thurlow and Mitsch Bush, Arndt, Coram, Melton, Nordberg, Sias, Tyler, Wist; also Senator(s) Sonnenberg, Hodge--Concerning a change to the biennial filing date for rate-regulated electric utilities to submit their plans for transmission facilities to the public utilities commission, and, in connection therewith, deleting the requirement that the commission issue a final order within one hundred eighty days after an application for the construction or expansion of transmission facilities is filed. Agriculture, Natural Resources, & Energy	63 64 65 66 67 68 69 70 71 72

- HB16-1095** by Representative(s) McCann, Ginal, Primavera; also Senator(s) Crowder--Concerning health insurance coverage for early refills of prescription eye drops.  
Health & Human Services
- HB16-1119** by Representative(s) Thurlow, Becker K.; also Senator(s) Holbert--Concerning a modification to the number of days that an aircraft may remain in the state after it is purchased for purposes of the sales and use tax exemption on the purchase of certain aircraft.  
Finance
- HB16-1125** by Representative(s) Roupe, Carver, Landgraf, Lontine, Dore; also Senator(s) Baumgardner, Garcia, Lambert, Todd--Concerning creating a Colorado statutory reference to conform with the federal definition of "veteran".  
State, Veterans, & Military Affairs
- HB16-1139** by Representative(s) Willett and Arndt; also Senator(s) Scott--Concerning electronic participation in committee meetings during the legislative interim.  
State, Veterans, & Military Affairs
- HB16-1144** by Representative(s) Becker J. and Pettersen; also Senator(s) Grantham--Concerning transparency in postsecondary courses offered to high school students.  
Education

**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:

- SB16-107** by Senator(s) Cooke; also Representative(s) Pabon--Concerning the regulation of voter registration drive circulators, and, in connection therewith, requiring circulators to complete mandatory training.

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

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

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

Co-sponsor(s) added: Cadman and Kefalas.

- HB16-1018** by Representative(s) Carver and Mitsch Bush; also Senator(s) Todd--Concerning a requirement that the statewide transportation advisory committee provide advice and comments regarding transportation-related matters to both the department of transportation and the transportation commission rather than to the department only.

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

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

**SB16-063** by Senator(s) Roberts; also Representative(s) Vigil--Concerning the authority of a local government to enter into an intergovernmental agreement with an out-of-state local government to provide critical public services.

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

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

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

Co-sponsor(s) added: Cadman, Crowder, Donovan, Heath, Jones, Kefalas, Lambert, Martinez Humenik, Merrifield, Newell, Todd, and Woods.

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:

**SB16-112** by Senator(s) Tate; --Concerning a modification to the required quantity of voter service and polling centers.

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

**SB16-051** by Senator(s) Johnston and Lundberg, Aguilar; --Concerning increasing judicial discretion regarding the imposition of consecutive sentences for violent crimes.

Amendment No. 1, Judiciary Committee Amendment.  
(Printed in Senate Journal, February 9, page(s) 159-160, and placed in members' bill files.)

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

Amend the Judiciary Committee Report, dated February 8, 2016, page 1, line 16, strike "(III)" and substitute "(II)".

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

**HB16-1044** by Representative(s) Becker J., Hamner, Nordberg; also Senator(s) Hill--Concerning the extension of dates related to the petroleum storage tank fund.

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

**SB16-070** by Senator(s) Neville T., Cadman, Cooke, Crowder, Grantham, Hill, Holbert, Lundberg, Marble, Scheffel, Tate, Woods; also Representative(s) Everett, Brown, Buck, Humphrey, Neville P., Saine--Concerning the prohibition of discrimination against employees based on labor union participation.

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB16-112, SB16-051 as amended, HB16-1044.  
Laid over until Friday, February 19: SB16-070.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS**

On motion of Majority Leader Scheffel, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE  
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

effective January 12, 2016, for a term expiring the Monday preceding the second Tuesday in January 2020:

Frances Ann Koncilja of Denver, Colorado, to serve as a Democrat, appointed.

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	E	Scheffel	Y		

**MESSAGE FROM THE GOVERNOR**

Appointment A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

December 24, 2015

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBERS OF THE  
COLORADO STATE FAIR AUTHORITY  
BOARD OF COMMISSIONERS

for terms expiring November 1, 2019:

Rebecca Ann Brooks of Denver, Colorado, a Democrat from the 1st Congressional District, and a member with substantial experience in agriculture or in the activities of 4-H clubs, appointed;

Ronny Raymond Farmer of Lamar, Colorado, a Republican from the 4th Congressional District, and a member who is a certified public accountant, appointed.

Sincerely,  
(Signed)  
John W. Hickenlooper  
Governor  
Rec'd: 12/30/2015  
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

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

The President has signed: SJM16-002 and 003; SJR16-003; HJR16-1002.

**DELIVERY TO THE GOVERNOR**

To the Governor for signature on Friday, February 12, 2016, at 2:30 p.m.:  
SJR16-003.

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On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Wednesday,  
February 17, 2016.

Approved:

Bill L. Cadman  
President of the Senate

Attest:

Effie Ameen  
Secretary of the Senate

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