

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
Second Regular Session

38th Legislative Day

Friday, February 19, 2016

Prayer	By the chaplain, Dr. Gene Selander, Crystal Clear Ministries, Denver.	10
Call to Order	By the President at 9:00 a.m.	11
Pledge	By Senator Martinez Humenik.	12
Roll Call	Present--34 Excused--1, Kerr. Present later--1, Kerr.	13
Quorum	The President announced a quorum present.	14
Reading of Journal	On motion of Senator Donovan, reading of the Journal of Thursday, February 18, 2016, was dispensed with, and the Journal was approved as corrected by the Secretary.	15

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology After consideration on the merits, the Committee recommends that **SB16-040** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill page 2, line 3, strike "(12.3)" and substitute "(12.3) and (12.4)".

Page 2, after line 11, insert:

"(12.4) "Permitted economic interest" means ~~any unsecured convertible debt instrument, option agreement, warrant, or any other right to obtain an ownership interest when the holder of such interest is a natural person who is a lawful United States resident and whose right to convert into an ownership interest is contingent on the holder qualifying and obtaining a license as an owner under this article; or such other agreements as may be permitted by rule of the state licensing authority~~ A NON-CONTROLLING DIRECT EQUITY INTEREST, A SECURED AGREEMENT, WARRANT, OR ANY OTHER RIGHT TO BECOME AN OWNER THAT IS HELD BY A PERSON OR ANY OTHER AGREEMENT AUTHORIZED BY RULE BY THE STATE LICENSING AUTHORITY. EACH NATURAL PERSON HOLDING A PERMITTED ECONOMIC INTEREST MUST BE A LAWFUL UNITED STATES RESIDENT AND MUST BE ABLE TO QUALIFY AS AN OWNER, EXCEPT FOR THE RESIDENCY REQUIREMENTS IN SECTION 12-43.3-307.5 AND EXCEPT THAT, WHEN A PERMITTED ECONOMIC INTEREST IS OR IS HELD BY A PARTNERSHIP, ASSOCIATION, COMPANY, CORPORATION THAT IS NOT A PUBLICLY TRADED CORPORATION, LIMITED LIABILITY COMPANY, OR ORGANIZATION, EACH BENEFICIAL OWNER MUST BE A LAWFUL UNITED STATES RESIDENT AND MUST BE ABLE TO QUALIFY AS AN OWNER, OTHER THAN THE RESIDENCY REQUIREMENTS IN SECTION 12-43.3-307.5, UNDER THIS ARTICLE.

SECTION 2. In Colorado Revised Statutes, 12-43.3-201, **add** (6) as follows:

12-43.3-201. State licensing authority - creation. (6) THE STATE LICENSING AUTHORITY MAY UTILIZE NO-COST PROCUREMENT CONTRACTS FOR THE PRECERTIFICATION OF NONRESIDENT OWNERS

DURING THE BACKGROUND INVESTIGATION PROCESS UNDER THIS ARTICLE AND ARTICLE 43.4 OF THIS TITLE."

Renumber succeeding sections accordingly.

Page 3, line 5, after "12-43.3-307," insert "**amend** (1) (a);".

Page 3, after line 8 insert:

"(a) A person until the ~~annual~~ fee therefore has been paid;".

Page 3, strike line 25, and substitute "DOCUMENTS AND AS SWORN TO BY AT LEAST ONE COLORADO RESIDENT OWNER WHO HAS BEEN A COLORADO RESIDENT FOR AT LEAST TWO YEARS WITH MANAGERIAL AUTHORITY ON FORMS PROMULGATED BY THE LICENSING AUTHORITY, AND all officers and managers and employees of a medical".

Page 4, line 3, strike "AND" and substitute "OR".

Page 4, after line 7 insert:

SECTION 7. In Colorado Revised Statutes, 12-43.3-305, add (4) as follows:

12-43.3-305. State licensing authority - application and issuance procedures. (4) A LICENSE ISSUED PURSUANT TO THIS ARTICLE IS VALID FOR THREE YEARS.

SECTION 8. In Colorado Revised Statutes, 12-43.3-311, amend (2) (b); add (1.5) as follows:

12-43.3-311. License renewal. (1.5) NOTWITHSTANDING THE PROVISIONS OF SECTION 12-43.3-307 (2) (c), IF A LICENSEE, WHEN APPLYING FOR RENEWAL, PROVIDES CERTIFICATION THAT THERE ARE NO CHANGED CIRCUMSTANCES AFFECTING LICENSURE SINCE THE INITIAL APPLICATION OR LAST RENEWAL OR PROVIDES DETAILS REGARDING ANY CHANGED CIRCUMSTANCES, THE STATE LICENSING AUTHORITY MAY REQUIRE A LICENSEE TO SUBMIT A NEW BACKGROUND CHECK, INCLUDING A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK, DURING THE RENEWAL PROCESS.

(2) (b) The state and local licensing authorities may not accept a late renewal application more than ninety days after the expiration of a licensee's permanent ~~annual~~ license. A licensee whose permanent ~~annual~~ license has been expired for more than ninety days shall not cultivate, manufacture, distribute, or sell any medical marijuana until all required licenses have been obtained."

Renumber succeeding sections accordingly.

Page 4, line 9, strike "(12)" and substitute "(12) and (12.4)".

Page 4, after line 18 insert:

"(12.4) "Permitted economic interest" means ~~any unsecured convertible debt instrument, option agreement, warrant, or any other right to obtain an ownership interest when the holder of such interest is a natural person who is a lawful United States resident and whose right to convert into an ownership interest is contingent on the holder qualifying and obtaining a license as an owner under this article or such other agreements as may be permitted by rule by the state licensing authority~~ A NON-CONTROLLING DIRECT EQUITY INTEREST, A SECURED AGREEMENT, WARRANT, OR ANY OTHER RIGHT TO BECOME AN OWNER THAT IS HELD BY A PERSON OR ANY OTHER AGREEMENT AUTHORIZED BY RULE BY THE STATE LICENSING AUTHORITY. EACH NATURAL PERSON HOLDING A PERMITTED ECONOMIC INTEREST MUST BE A LAWFUL UNITED STATES RESIDENT AND MUST BE ABLE TO QUALIFY AS AN OWNER, EXCEPT FOR THE RESIDENCY REQUIREMENTS IN SECTION 12-43.4-306.5 AND EXCEPT THAT, WHEN A PERMITTED ECONOMIC INTEREST IS OR IS HELD BY A PARTNERSHIP, ASSOCIATION, COMPANY, CORPORATION THAT IS NOT A PUBLICLY TRADED CORPORATION, LIMITED LIABILITY COMPANY, OR

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ORGANIZATION, EACH BENEFICIAL OWNER MUST BE A LAWFUL UNITED STATES RESIDENT AND MUST BE ABLE TO QUALIFY AS AN OWNER, OTHER THAN THE RESIDENCY REQUIREMENTS IN SECTION 12-43.4-306.5, UNDER THIS ARTICLE."

Page 5, line 8, after "12-43.4-306," insert "amend (1) (a);".

Page 5, after line 11 insert:

"(a) A person until the annual fee therefor has been paid;".

Page 5, strike line 27, and substitute "DOCUMENTS AND AS SWORN TO BY AT LEAST ONE COLORADO RESIDENT OWNER WHO HAS BEEN A COLORADO RESIDENT FOR AT LEAST TWO YEARS WITH MANAGERIAL AUTHORITY ON FORMS PROMULGATED BY THE LICENSING AUTHORITY, AND all officers, managers, and employees of a retail".

Page 6, line 3, strike "AND" and substitute "OR".

Page 6, after line 8 insert:

"SECTION 14. In Colorado Revised Statutes, 12-43.4-304, add (3) as follows:
12-43.4-304. State licensing authority - application and issuance procedures. (3) A LICENSE ISSUED PURSUANT TO THIS ARTICLE IS VALID FOR THREE YEARS.

SECTION 15. In Colorado Revised Statutes, 12-43.4-310, add (1.5) as follows:
12-43.4-310. License renewal. (1.5) IF A LICENSEE, WHEN APPLYING FOR RENEWAL, PROVIDES CERTIFICATION THAT THERE ARE NO CHANGED CIRCUMSTANCES AFFECTING LICENSURE SINCE THE INITIAL APPLICATION OR LAST RENEWAL OR PROVIDES DETAILS REGARDING ANY CHANGED CIRCUMSTANCES, THE STATE LICENSING AUTHORITY MAY NOT REQUIRE A LICENSEE TO SUBMIT A NEW BACKGROUND CHECK, INCLUDING A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK, DURING THE RENEWAL PROCESS."

Renumber succeeding sections accordingly.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB16-1041** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB16-058** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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

"SECTION 1. In Colorado Revised Statutes, 25-4-1614, amend (1), (2), and (9) (c) introductory portion; repeal (10); and add (9)(a.5) and (9) (a.7)" as follows:
25-4-1614. Home kitchens - exemption - food inspection - short title - definitions - rules. (1) This section shall be known and may be cited as the "Colorado Cottage Foods Act". THE PURPOSES OF THIS SECTION ARE TO ALLOW FOR THE SALE AND CONSUMPTION OF HOMEMADE FOODS AND TO ENCOURAGE THE EXPANSION OF AGRICULTURAL SALES BY FARMERS' MARKETS, FARMS, AND HOME-BASED PRODUCERS AND ACCESSIBILITY OF THESE RESOURCES TO INFORMED END CONSUMERS BY:
(a) FACILITATING THE PURCHASE AND CONSUMPTION OF FRESH AND LOCAL AGRICULTURAL PRODUCTS;
(b) ENHANCING THE AGRICULTURAL ECONOMY; AND
(c) PROVIDING COLORADO CITIZENS WITH UNIMPEDED ACCESS TO

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HEALTHY FOOD FROM KNOWN SOURCES.

(2) (a) A producer may use his or her home kitchen or a commercial, private, or public kitchen to produce foods for sale only if the producer sells the foods directly to ultimate INFORMED END consumers.

(b) (I) A producer is permitted under this section to sell only a limited range of foods that have been produced, processed, or packaged that are nonpotentially hazardous and do not require refrigeration. These foods are divided into two tiers:

(A) Tier one foods are limited to INCLUDE PICKLED VEGETABLES, spices, teas, dehydrated produce, nuts, seeds, honey, jams, jellies, preserves, fruit butter, flour, and baked goods, including candies, fruit empanadas, and tortillas, and OTHER NONPOTENTIALLY HAZARDOUS FOODS;

(B) Tier two foods are limited to pickled vegetables that have an equilibrium pH value of 4.6 or lower.

(II) A person may sell whole eggs under this section; except that a person may not sell more than two hundred fifty dozen whole eggs per month under this section. A person selling whole eggs must meet the requirements of section 35-21-105, C.R.S.

(c) A producer must IS ENCOURAGED TO take a food safety course that includes basic food handling training. and is comparable to, or is a course given by, the Colorado state university extension service or a state, county, or district public health agency, and must maintain a status of good standing in accordance with the course requirements, including attending any additional classes if necessary.

(d) The foods produced under this section must: be sold only

(I) to ultimate consumers and not to grocery stores or restaurants; and BE DELIVERED DIRECTLY FROM A PRODUCER TO AN INFORMED END CONSUMER;

(II) On the producer's premises, at the producer's roadside stand, or at a farmers' market, community-supported agriculture organization, or similar venue where the product is sold directly to consumers. BE SOLD ONLY IN COLORADO; AND

(III) NOT INVOLVE INTERSTATE COMMERCE.

(e) This section applies only to producers who earn net revenues of ten thousand dollars or less per calendar year from the sale of each eligible food product produced in the producer's home kitchen or a commercial, private, or public kitchen.

(9) As used in this section:

(a.5) "HOMEMADE" MEANS FOOD THAT IS PREPARED IN A PRIVATE HOME KITCHEN THAT IS NOT LICENSED, INSPECTED, OR REGULATED.

(a.7) "INFORMED END CONSUMER" MEANS A PERSON WHO IS THE LAST PERSON TO PURCHASE ANY PRODUCT, WHO DOES NOT RESELL THE PRODUCT, AND WHO HAS BEEN INFORMED THAT THE PRODUCT IS NOT LICENSED, REGULATED, OR INSPECTED.

(c) "Producer" means a person who prepares nonpotentially hazardous foods in a home kitchen or similar venue for sale directly to consumers pursuant to this section, AND INCLUDES THAT PERSON'S DESIGNATED REPRESENTATIVE. A producer may only be:

(10) The state board of health shall promulgate rules, including enforcement provisions, necessary to provide for the production and sale of tier two foods.

SECTION 2. In Colorado Revised Statutes, 35-33-103, amend (8) and (9); and add (8.5) as follows:

35-33-103. Definitions. As used in this article, unless the context otherwise requires:

(8) "Meat or meat products" means carcasses or parts of carcasses derived from any animals used for food. "MEAT OR MEAT PRODUCTS" INCLUDES POULTRY.

(8.5) "POULTRY" MEANS ANY DOMESTICATED BIRD, INCLUDING CHICKENS, TURKEYS, DUCKS, GEESE, GUINEAS, OR SQUABS, WHETHER LIVE OR DEAD.

(9) "Premises" means the back, front, and side yard of property occupied by a custom processing facility; docks and areas where vehicles are loaded or unloaded; driveways, approaches, pens, and alleys; and buildings or portions of buildings that are part of any facility even though

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not used for custom processing.

SECTION 3. In Colorado Revised Statutes, 35-33-104, **amend** (1) as follows:

35-33-104. Commissioner of agriculture - powers and duties.

(1) The commissioner is hereby authorized to formulate reasonable rules and standards of construction, LABELING, operation, record keeping, and sanitation for all custom processing facilities and shall establish rules and standards pertaining to containers, packaging materials, mobile slaughter units, slaughter rooms, processing rooms, chill rooms, storage and locker rooms, sharp freezing facilities, and premises of custom processing facilities, with respect to the service of slaughtering, cutting, preparing, wrapping, and packaging meat and meat products necessary for the proper preservation of food.

SECTION 4. In Colorado Revised Statutes, 35-33-107, **add** (6) as follows:

35-33-107. Exemptions. (6) A PRODUCER WHO RAISES AND SLAUGHTERS NO MORE THAN ONE THOUSAND POULTRY DURING EACH CALENDAR YEAR IS EXEMPT FROM THE PROVISIONS OF THIS ARTICLE OTHER THAN THE RECORD KEEPING REQUIREMENT IN SECTION 35-33-202 AND THE LABELING REQUIREMENTS IN SECTION 35-33-301 IF:

- (a) THE PRODUCER DOES NOT BUY OR SELL POULTRY PRODUCTS OTHER THAN THOSE PRODUCED FROM POULTRY RAISED ON THE PRODUCER'S OWN FARM;
- (b) THE POULTRY DO NOT MOVE IN INTERSTATE COMMERCE;
- (c) THE POULTRY ARE PROPERLY LABELED; AND
- (d) THE POULTRY ARE HEALTHY WHEN SLAUGHTERED AND THE SLAUGHTER AND PROCESSING ARE CONDUCTED UNDER SANITARY STANDARDS, PRACTICES, AND PROCEDURES THAT PRODUCE POULTRY PRODUCTS THAT ARE SOUND, CLEAN, AND FIT FOR USE AS HUMAN FOOD WHEN DISTRIBUTED BY THE PRODUCER.

SECTION 5. In Colorado Revised Statutes, 35-33-201, **amend** (1) and (10) introductory portion; and **add** (11) as follows:

35-33-201. Processing facilities - operation - rules. (1) Each custom processing facility licensed under this article must be operated and maintained in a manner sufficient to prevent the creation of unsanitary conditions and to ensure that meat or meat products are not adulterated.

(10) All meat and meat products, EXCEPT POULTRY, resulting from the custom processing or slaughter of uninspected animals:

(11) ALL POULTRY AND POULTRY PRODUCTS MUST BE MARKED AS REQUIRED BY THE COMMISSIONER BY RULE.

SECTION 6. In Colorado Revised Statutes, 35-33-202, **amend** (1) (a) introductory portion as follows:

35-33-202. Record-keeping requirements. (1)(a) Every custom processor shall maintain records of each customer transaction, including, at a minimum:

SECTION 7. In Colorado Revised Statutes, 35-33-203, **amend** (1) as follows:

35-33-203. Slaughter methods. (1) ~~No custom~~ A processor shall NOT shackle, hoist, or otherwise bring animals into position for slaughter, or shall slaughter or bleed animals, except by humane methods.

SECTION 8. In Colorado Revised Statutes, 35-33-206, **add** (1.5) as follows:

35-33-206. License required - application - inspection - issuance. (1.5) ANY PERSON WHO DESIRES TO SLAUGHTER AND PROCESS MORE THAN ONE THOUSAND, BUT FEWER THAN TWENTY THOUSAND, POULTRY SHALL FIRST OBTAIN A LICENSE FROM THE DEPARTMENT. A SEPARATE LICENSE IS REQUIRED FOR EACH POULTRY PROCESSING FACILITY. THE APPLICATION MUST BE IN WRITING ON FORMS SUPPLIED BY THE DEPARTMENT, SETTING FORTH ANY INFORMATION REQUIRED BY THE DEPARTMENT, AND MUST BE ACCOMPANIED BY ALL REQUIRED FEES.

SECTION 9. In Colorado Revised Statutes, **recreate and reenact, with amendments**, part 3 of article 33 of title 35 as follows:

35-33-301. Sale of poultry - labeling - rules. (1) A POULTRY PRODUCER LICENSED OR EXEMPTED UNDER THIS ARTICLE MAY SELL POULTRY TO INDIVIDUALS.

(2) THE DEPARTMENT SHALL CONSULT WITH THE DEPARTMENT OF

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PUBLIC HEALTH AND ENVIRONMENT TO PROMULGATE RULES REGARDING THE LABELING OF POULTRY SOLD PURSUANT TO THIS SECTION.

(3) (a) THE COMMISSIONER OR HIS OR HER DESIGNEE SHALL CONVENE A STAKEHOLDER GROUP, INCLUDING REPRESENTATIVES FROM THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, RETAIL FOOD ESTABLISHMENTS, LIABILITY INSURANCE COMPANIES, POULTRY FARMERS, POULTRY SUPPLIERS, PROCESSORS OPERATING UNDER THIS ARTICLE, AND ANY OTHER INTERESTED PARTY.

(b) THE DEPARTMENT SHALL KEEP AND MAINTAIN A LIST OF STAKEHOLDERS.

(c) THE DEPARTMENT SHALL CONVENE THE FIRST MEETING WITH THE STAKEHOLDERS NO LATER THAN JULY 1, 2016, AND AS NEEDED THEREAFTER.

(d) THE DEPARTMENT SHALL MEET WITH THE STAKEHOLDERS TO DEVELOP A REGULATORY FRAMEWORK FOR THE PROCESSING OF POULTRY THAT IS SOLD TO RETAIL FOOD ESTABLISHMENTS, AS DEFINED IN SECTION 25-4-1602 (14), C.R.S.

(e) ON OR BEFORE NOVEMBER 30, 2016, THE COMMISSIONER OR HIS OR HER DESIGNEE SHALL PREPARE A REPORT OF THE FINDINGS AND CONCLUSIONS OF THE STUDY AND SHALL PRESENT THE REPORT TO ALL STAKEHOLDERS AND OTHERS UPON REQUEST.

SECTION 10. 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."

Trans-
portation

The Committee on Transportation 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
TRANSPORTATION COMMISSION

for a term expiring July 1, 2019:

Kathryn Hall of Grand Junction, Colorado, to serve as a commissioner from the Seventh Transportation District, appointed.

Trans-
portation

After consideration on the merits, the Committee recommends that **HB16-1008** be **referred** to the Committee of the Whole with favorable recommendation.

Trans-
portation

After consideration on the merits, the Committee recommends that **SB16-123** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 11, strike "OWNER" and substitute "OWNER, INCLUDING, IN ACCORDANCE WITH 23 U.S.C. SEC. 166 (b) (2), A MOTORCYCLE OWNER,".

Page 3, line 9, strike "OWNER" and substitute "OWNER, INCLUDING, IN ACCORDANCE WITH 23 U.S.C. SEC. 166 (b) (2), A MOTORCYCLE OWNER,".

Finance

After consideration on the merits, the Committee recommends that **HB16-1049** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Finance

After consideration on the merits, the Committee recommends that **SB16-115** be **referred** to the Committee on Appropriations with favorable recommendation.

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Finance After consideration on the merits, the Committee recommends that **SB16-125** 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 22, strike "MAY" and substitute "MAY, AS PROVIDED IN THE BYLAWS,".

Page 3, line 2, after the period add "A RECORD OF THE NAMES AND ADDRESSES OF THE MEMBERS OF THE AUDIT COMMITTEE MUST BE FILED WITH THE COMMISSIONER WITHIN TWENTY DAYS AFTER THEIR ELECTION OR APPOINTMENT.".

Page 3, line 11, strike "AN" and substitute "A".

Page 3, line 12, strike "OFFICER, DIRECTOR, OR COMMITTEE MEMBER" and substitute "DIRECTOR".

Education After consideration on the merits, the Committee recommends that **SB16-052** be **postponed indefinitely**.

Education After consideration on the merits, the Committee recommends that **SB16-105** be **postponed indefinitely**.

Education The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO EDUCATIONAL AND CULTURAL
FACILITIES AUTHORITY BOARD OF DIRECTORS

for a term expiring June 30, 2016:

Margaret Henry of Brighton, Colorado, a Republican, and occasioned by the resignation of Brent Jared Kline of Denver, Colorado, a Republican appointed;

for a term expiring June 30, 2018:

Samuel James Todd of Broomfield, Colorado, a Republican, and occasioned by the resignation of Patrick M. Brady of Fort Collins, Colorado, a Republican, appointed;

for terms expiring June 30, 2019:

William Carl Sanden of Colorado Springs, Colorado, a Republican, reappointed;

Cheryl Denise Cohen-Vader of Denver, Colorado, an Unaffiliated, reappointed.

Health & Human Services After consideration on the merits, the Committee recommends that **SB16-120** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 21, strike "SCARE" and substitute "SCARCE".

Page 5, line 21, strike "BIMONTHLY," and substitute "ONCE EVERY TWO MONTHS,".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB16-1081** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB16-1095** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

- Correctly Printed:** SB16-129, 130, 131, 132, 133, 134, and 135; SJR16-009.
- Correctly Engrossed:** SB16-121.
- Correctly Reengrossed:** SB16-027, 030, 073, 089, 090, 091, 092, 093, 094, and 095.
- Correctly Revised:** HB16-1237, 1238, 1239, 1240, 1242, 1243, 1244, 1245, 1246, 1248, 1249, 1250, 1251, 1252, 1253, and 1254.
- Correctly Enrolled:** SB16-009 and 015; SJR16-003.

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

SJR16-008 by Senator(s) Donovan and Martinez Humenik; also Representative(s) Lawrence and Primavera--Concerning awareness of heart disease, and, in connection therewith, declaring February 19, 2016, as "National Wear Red Day".

On motion of Senator Donovan, 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, Crowder, Garcia, Grantham, Guzman, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Steadman, Tate, Todd, Ulibarri, and Woods.

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

On motion of Senator Martinez Humenik, 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, Crowder, Donovan, Garcia, Grantham, Guzman, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Steadman, Tate, Todd, Ulibarri, and Woods.

INTRODUCTION OF BILLS -- FIRST READING

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

- HB16-1002** by Representative(s) Buckner, Fields; also Senator(s) Kerr--Concerning the ability of an employee of an employer who employs at least fifty employees to take up to eighteen hours of leave from work for purposes of attending his or her child's academic activities.
State, Veterans, & Military Affairs
- HB16-1067** by Representative(s) Mitsch Bush; also Senator(s) Donovan--Concerning extension of the authorization for a regional transportation authority to impose a uniform mill levy on all taxable property within its territory.
Transportation
- HB16-1083** by Representative(s) Brown and Hamner; also Senator(s) Donovan and Grantham--Concerning the role and mission of Western state Colorado university.
Education
- HB16-1120** by Representative(s) Ginal; also Senator(s) Tate--Concerning the requirement that domestic pets be vaccinated against rabies.
Agriculture, Natural Resources, & Energy
- HB16-1122** by Representative(s) Everett, Humphrey, Joshi, Klingenschmitt, Neville P., Priola, Ransom, Saine, Van Winkle; also Senator(s) Hill and Marble, Grantham--Concerning the use of remote starter systems on unattended vehicles.
Transportation
- HB16-1148** by Representative(s) Sias, Primavera; also Senator(s) Roberts and Kefalas--Concerning the oversight authority of the health insurance exchange oversight committee with regard to policies that affect consumers proposed by the health benefit exchange.
Health & Human Services
- HB16-1151** by Representative(s) Pabon, Nordberg, Rosenthal, Singer; also Senator(s) Holbert, Jahn--Concerning the expansion of penalty mitigation under the alcohol beverage laws for vendors meeting the definition of a "responsible vendor" as provided by law.
Business, Labor, & Technology

HB16-1169 by Representative(s) Coram; also Senator(s) Roberts--Concerning the appointment of representatives of the Southern Ute and Ute Mountain Ute tribes as voting members of the statewide transportation advisory committee.
Transportation

Upon request of Majority Leader Scheffel, **HB16-1240** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Friday, February 19 and was placed at the end of the Third Reading of Bills Final Passage Calendar of Friday, February 19.

On motion of Majority Leader Scheffel, **HB16-1240** was placed on the Third Reading of Bills Final Passage Calendar of Monday, February 22.

**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:

HB16-1237 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of agriculture.

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: Cadman.

HB16-1238 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of corrections.

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: Cadman.

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.

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: Cadman.

HB16-1242 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of human services.

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: Cadman.

HB16-1243 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the judicial department.

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: Cadman.

HB16-1244 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of law.

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: Cadman.

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.

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: Cadman.

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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.

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: Cadman.

HB16-1248 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of public safety.

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: Cadman.

HB16-1249 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of regulatory agencies.

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: Cadman.

HB16-1250 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of revenue.

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: Cadman.

HB16-1251 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of the treasury.

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: Cadman.

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.

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: Cadman and Kefalas.

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:

HB16-1253 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.

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

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.

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, Cadman, Carroll, Donovan, Heath, Johnston, Jones, Kefalas, Kerr, Lundberg, Martinez Humenik, Merrifield, Newell, Scheffel, Scott, Todd, and Woods.

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.

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, Cooke, Grantham, Heath, Hill, Holbert, Jahn, Johnston, Lambert, Lundberg, Martinez Humenik, Newell, Roberts, Scheffel, Scott, and Todd.

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.

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:

HB16-1053 by Representative(s) Kraft-Tharp; also Senator(s) Hill--Concerning the regulation of retail hydrogen fuel systems for vehicles.

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

HB16-1069 by Representative(s) Rankin and Moreno; also Senator(s) Grantham--Concerning the ability of a city's governing body to determine the length of terms for its housing authority commissioners.

Amendment No. 1, Local Government Committee Amendment.

(Printed in Senate Journal, February 17, page(s) 203, and placed in members' bill files.)

As amended, 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 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: HB16-1053, HB16-1069 as amended.

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 the chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB16-034 by Senator(s) Sonnenberg; --Concerning tampering with a deceased human body.

Laid over until Monday, February 22, retaining its place on the calendar.

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.	1 2 3 4 5
	<u>Amendment No. 1, Education Committee Amendment.</u> (Printed in Senate Journal, February 12, page(s) 182-183, and placed in members' bill files.)	6 7 8 9
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	10 11 12 13
SB16-088	by Senator(s) Steadman; --Concerning the "Revised Uniform Fiduciary Access to Digital Assets Act".	14 15 16
	<u>Amendment No. 1, Judiciary Committee Amendment.</u> (Printed in Senate Journal, February 17, page(s) 201, and placed in members' bill files.)	17 18 19
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	20 21 22 23
SB16-080	by Senator(s) Newell; --Concerning secured marijuana cultivation requirements.	24 25
	Laid over until Tuesday, February 23, retaining its place on the calendar.	26 27 28
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.	29 30 31 32 33
	<u>Amendment No. 1(L.008), by Senator Ulibarri.</u>	34 35
	Amend printed bill, page 2, strike lines 17 through 23 and substitute:	36 37
	"8-3.3-102. Prohibited activities. (1) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, AN EMPLOYER SHALL NOT DISCRIMINATE AGAINST AN EMPLOYEE WHILE CARDS ARE BEING CIRCULATED, DURING COLLECTIVE BARGAINING, OR WHILE A LABOR ELECTION IS PENDING, BY:	38 39 40 41 42
	(a) APPLYING PHYSICAL RESTRAINT;	43
	(b) PREVENTING BATHROOM USE;	44
	(c) ELIMINATING LUNCH BREAKS;	45
	(d) REDUCING PAY; OR	46
	(e) DEMOTING THE EMPLOYEE."	47 48
	Page 3, strike lines 1 through 8.	49
	Re-number succeeding C.R.S. sections accordingly.	50 51
	Page 4, strike lines 16 through 27.	52 53
	Strike pages 5 through 8.	54 55
	Page 9, strike lines 1 through 16.	56 57
	Re-number succeeding section accordingly.	58 59 60
	<u>Amendment No. 2(L.009), by Senator Marble.</u>	61 62
	Amend printed bill, page 3, before line 9 insert:	63 64
	"8-3.3-103. Reimbursement of dues. UPON A LABOR ORGANIZATION MEMBER'S RESIGNATION FROM LABOR ORGANIZATION	65 66 67

MEMBERSHIP, THE LABOR ORGANIZATION SHALL REFUND THE MEMBER HIS OR HER LABOR ORGANIZATION DUES ON A PRO RATA BASIS WITHIN THIRTY DAYS OF THE MEMBER'S RESIGNATION."

Renumber succeeding C.R.S. sections accordingly.

Amendment No. 3(L.010), by Senator Lundberg.

Amend printed bill, page 3, before line 9 insert:

"8-3.3-103. Restriction on use of labor membership dues. A LABOR ORGANIZATION SHALL NOT USE AN EMPLOYEE'S MEMBERSHIP DUES FOR POLITICAL CONTRIBUTIONS WITHOUT THE EXPRESS CONSENT OF THE EMPLOYEE. THIS CONSENT MUST BE IN AN OPT-IN FORM."

Renumber succeeding C.R.S. sections accordingly.

Amendment No. 4(L.011), by Senator Neville.

Amend Ulibarri floor amendment (SB070 L.008) strike line 1 and substitute "Amend printed bill, page 3, after line 8 insert:".

Page 1, line 2, strike ""8-3.3-102." and substitute ""8-3.3-104.".

Page 1, strike line 12.

Page 1, strike lines 14 through 17.

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

(For further action, see amendments to the report of the Committee of the Whole.)

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.

Laid over until Monday, February 22, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

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.

Senator Ulibarri moved to amend the Report of the Committee of the Whole to show that the following Neville T. floor amendment, (L.011) to SB16-070, did not pass.

Amend Ulibarri floor amendment (SB070 L.008) strike line 1 and substitute "Amend printed bill, page 3, after line 8 insert:".

Page 1, line 2, strike ""8-3.3-102." and substitute ""8-3.3-104.".

Page 1, strike line 12.

Page 1, strike lines 14 through 17.

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Less than 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 **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	N
Baumgardner	N	Hill	N	Lundberg	N	Sonnenberg	N
Carroll	E	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	Holbert	N	Martinez Humenik	N	Tate	N
Crowder	N	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	N	President	N
Guzman	Y	Kerr	Y	Scheffel	N		

Senator Ulibarri moved to amend the Report of the Committee of the Whole to show that the following Ulibarri floor amendment, (L.007) to SB16-070, did pass.

Amend printed bill, page 2, strike lines 17 through 23 and substitute:

"8-3.3-102. Prohibited activities. AN EMPLOYER OF THE STATE OF COLORADO SHALL NOT ENGAGE IN THE DISCRIMINATORY PRACTICE OF PROHIBITING A STATE EMPLOYEE FROM COLLECTIVELY BARGAINING, REGARDLESS OF THE STATE EMPLOYEE'S POSITION IN THE STATE."

Page 3, strike lines 1 through 8.

Renumber succeeding C.R.S. sections accordingly.

Page 4, strike lines 16 through 27.

Strike pages 5 through 8.

Page 9, strike lines 1 through 16.

Renumber succeeding section accordingly.

Less than 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 **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	N
Baumgardner	N	Hill	N	Lundberg	N	Sonnenberg	N
Carroll	E	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	Holbert	N	Martinez Humenik	N	Tate	N
Crowder	N	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	N	President	N
Guzman	Y	Kerr	Y	Scheffel	N		

Senator Ulibarri moved to amend the Report of the Committee of the Whole to show that the following Ulibarri floor amendment, (L.003) to SB16-070, did pass.

Amend printed bill, page 2, strike lines 17 through 23 and substitute:

"8-3.3-102. Prohibited activities. (1) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, AN EMPLOYER SHALL NOT USE SURVEILLANCE, PROMISES, INTIMIDATION, OR THREATS AGAINST AN

- EMPLOYEE IN A WORKPLACE:
 (a) WHILE CARDS ARE BEING CIRCULATED;
 (b) DURING COLLECTIVE BARGAINING; OR
 (c) WHILE A LABOR ELECTION IS PENDING."

Page 3, strike lines 1 through 8.

Renumber succeeding C.R.S. sections accordingly.

Page 4, strike lines 16 through 27.

Strike pages 5 through 8.

Page 9, strike lines 1 through 16.

Renumber succeeding section accordingly.

Less than 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 **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	N
Baumgardner	N	Hill	N	Lundberg	N	Sonnenberg	N
Carroll	E	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	Holbert	N	Martinez Humenik	N	Tate	N
Crowder	N	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	N	President	N
Guzman	Y	Kerr	Y	Scheffel	N		

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	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	E	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: SB16-079 as amended, SB16-088 as amended, SB16-070 as amended.

Laid over until Monday, February 22: SB16-034 as amended, SB16-017 as amended.

Laid over until Tuesday, February 23: SB16-080.

CONSIDERATION OF MEMORIALS

SJM16-001 by Senator(s) Roberts; also Representative(s) Coram and Mitsch Bush--Concerning protection from liability for voluntary reclamation of abandoned hard rock mines.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, February 12, page(s) 177, and placed in members' bill files.)

The amendment was **passed** 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	E	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		

On motion of Senator Roberts, the memorial, as amended, was **adopted** by the following roll call vote:

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

MESSAGE FROM THE HOUSE

February 19, 2016

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB16-1260, 1157, 1176, 1094, 1152.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB16-1098, amended as printed in House Journal, February 18.
 HB16-1145, amended as printed in House Journal, February 18.
 HB16-1066, amended as printed in House Journal, February 18.
 HB16-1104, amended as printed in House Journal, February 18.
 HB16-1158, amended as printed in House Journal, February 18.
 HB16-1159, amended as printed in House Journal, February 18.

The House has adopted and returns herewith SJR16-008, SJR16-009.

MESSAGE FROM THE REVISOR OF STATUTES

February 19, 2016

We herewith transmit:

Without comment, HB16-1094, 1152, 1157, 1176, and 1260.
Without comment, as amended, HB16-1066, 1098, 1104, 1145, 1158, and 1159.

CHANGE IN SPONSORSHIP

Upon announcement of President Cadman, Senator Johnston was added as a Senate joint prime sponsor on HB16-1260 with Senator Cooke and Representative Fields.

**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 vote:

MEMBERS OF THE
TRANSPORTATION COMMISSION

for a term expiring July 1, 2017:

Heather M. Barry of Westminster, Colorado to serve as a commissioner from the Fourth Transportation District, reappointed;

for terms expiring July 1, 2019:

Nolan E. Schriener of Colorado Springs, Colorado, to serve as a commissioner from the Ninth Transportation District, appointed;

Edward James Peterson of Lakewood, Colorado, to serve as a commissioner from the Second Transportation District, reappointed;

Kathleen R. Gilliland of Livermore, Colorado, to serve as a commissioner from the Fifth Transportation District, reappointed;

Kathy I. Connell of Steamboat Springs, Colorado, to serve as a commissioner from the Sixth Transportation District, reappointed;

Steven Leon Hofmeister of Haxtun, Colorado, to serve as a commissioner from the Eleventh Transportation District, reappointed.

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YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	E	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		

On motion of Majority Leader Scheffel, the Senate adjourned until 10:00 a.m., Monday, February 22, 2016.

Approved:

Bill L. Cadman
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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