

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
Second Regular Session

112th Legislative Day

Tuesday, May 3, 2016

Prayer By the chaplain, Dan File, Capitol Commission, Lake City.

Call to Order By the President at 9:00 a.m.

Roll Call Present--35

Quorum The President announced a quorum present.

Pledge By Senator Merrifield.

Reading of Journal On motion of Senator Steadman, reading of the Journal of Monday, May 2, 2016, was dispensed with, and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that **HB16-1348** be **referred** to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB16-1363** be **referred** to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB16-1378** 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 **HB16-1288** be **amended** as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend reengrossed bill, page 1, strike lines 103 through 105 and substitute "**DEVELOPMENT COUNCIL**".

State, Veterans, & Military Affairs The Committee on State, Veterans, & Military Affairs has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

**MEMBER OF THE
COLORADO CIVIL RIGHTS COMMISSION**

for a term expiring March 13, 2020:

Ulysses J. Chaney of Colorado Springs, Colorado, to serve as a representative of state (or local) government entities and as a Republican, appointed.

State, Veterans, & Military Affairs After consideration on the merits, the Committee recommends that **HB16-1434** be **postponed indefinitely**.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1400** be **postponed indefinitely**.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1381** be **postponed indefinitely**.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1313** be **postponed indefinitely**.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1279** be **postponed indefinitely**.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1217** be **postponed indefinitely**.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1196** be **postponed indefinitely**.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1167** be **postponed indefinitely**.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1386** be **referred** to the Committee on Appropriations with favorable recommendation.

Appro-
priations

After consideration on the merits, the Committee recommends that **SB16-204** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, strike lines 2 through 20 and substitute:

"SECTION 1. In Colorado Revised Statutes, **amend** 23-5-139 as follows:

23-5-139. Higher education revenue bond intercept program - definitions. (1) (a) The state treasurer, on behalf of a state-supported institution of higher education, as described in section 23-1-102 (2) and referred to in this section as an "institution" AN INSTITUTION, shall make payment as provided in this section of principal and interest on INTERCEPT bonds to which this section applies unless the governing board of the institution adopts a resolution stating that it will not accept on behalf of the institution payment of principal of and interest on INTERCEPT bonds as provided in this section. Any such resolution ~~shall~~ **MUST** be adopted prior to issuance or incurrence of the INTERCEPT bonds to which it applies. Following adoption of the resolution, the institution

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shall provide written notice to the state treasurer of its refusal to accept the payment. The refusal to accept payment ~~shall take~~ TAKES effect upon ON the date the state treasurer receives the written notice and ~~shall continue~~ CONTINUES in effect until the date the state treasurer receives written notice from the institution that the governing board of the institution has adopted a resolution rescinding the refusal to accept payment pursuant to this section. Notwithstanding any provision of subsections (2) to (7) of this section to the contrary, the state treasurer shall not make payment of principal of or interest on INTERCEPT bonds on behalf of an institution that provides written notice of its refusal to accept payment by the state treasurer on its behalf as provided in this paragraph (a) until the state treasurer receives written notice of the rescission of refusal to accept payment.

~~(b) This section applies to revenue bonds issued by~~ IF an institution ISSUES A REVENUE BOND pursuant to this article on or after ~~April 26, 2013, and to~~ THE EFFECTIVE DATE OF THIS PARAGRAPH (b), AS AMENDED, OR ISSUES A ~~refunding bonds issued by an institution~~ BOND pursuant to article 54, 56, or 57 of title 11, C.R.S., on or after ~~April 26, 2013, if, on the date the bonds are issued~~ THE EFFECTIVE DATE OF THIS PARAGRAPH (b), AS AMENDED, AND THE GOVERNING BOARD WISHES FOR SUCH REVENUE OR REFUNDING BOND TO BE AN INTERCEPT BOND, THEN:

(I) THE MAXIMUM TOTAL ANNUAL DEBT SERVICE PAYMENT OF THE NEW INTERCEPT BOND TO BE ISSUED PLUS THE DEBT SERVICE PAYMENT FOR ALL OTHER INTERCEPT BONDS THAT WERE ISSUED ON OR AFTER JUNE 4, 2008, BY THE SAME GOVERNING BOARD, MUST EQUAL SEVENTY-FIVE PERCENT OR LESS OF THE MOST RECENT FISCAL YEAR GENERAL FUND APPROPRIATION FOR STIPENDS AND FEE-FOR-SERVICE CONTRACTS THAT IS REAPPROPRIATED TO SUCH GOVERNING BOARD; AND

~~(H)~~ (II) EXCEPT AS PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (1), the governing ~~body of the institution has~~ BOARD MUST HAVE:

(A) A credit rating in one of the three highest categories, without regard to modifiers within a category, from at least one nationally recognized statistical rating organization and, if more than one such organization has rated an institution, no credit rating that is in a category below the three highest categories, without regard to modifiers within a category; and

(B) A debt service coverage ratio of at least one and one-half to one, measured by dividing the ~~institution's~~ GOVERNING BOARD'S net revenue available for annual debt service over ~~the~~ SUCH GOVERNING BOARD'S total amount of annual debt service ~~subject to this article and~~ PLUS the annual debt service to be issued ~~pursuant to this article~~ BY SUCH GOVERNING BOARD; and

~~(H)~~ (III) The pledged revenues for the NEW INTERCEPT BOND issue include not less than:

- (A) The net revenues of auxiliaries;
- (B) Ten percent of tuition if the institution is an enterprise, as defined in section 24-77-102 (3), C.R.S.;
- (C) Indirect cost recovery revenues, if any;
- (D) Facility construction fees designated for bond repayment, if any; and
- (E) Student fees and ancillary revenues currently pledged to existing bondholders; AND

(IV) EXCEPT AS PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (1), THE GOVERNING BOARD HAS OBTAINED A PREAPPROVAL CERTIFICATE FROM THE STATE TREASURER AS DESCRIBED IN SUBPARAGRAPH (II) OF PARAGRAPH (d) OF THIS SUBSECTION (1), AND OBTAINED APPROVAL FROM BOTH THE CAPITAL DEVELOPMENT COMMITTEE AND THE JOINT BUDGET COMMITTEE AS SPECIFIED IN SUBSECTION (1.5) OF THIS SECTION.

~~(c) (I) (A) The state treasurer may exempt an institution from the requirements of subparagraph (f)~~ IF THE STATE TREASURER DETERMINES THAT A GOVERNING BOARD DOES NOT MEET THE REQUIREMENTS SET FORTH IN SUBPARAGRAPH (II) of paragraph (b) of this subsection (1), if the STATE TREASURER CONFIRMS THAT THE revenue bonds to be issued are refunding bonds that result in cost savings to the ~~institution~~ GOVERNING BOARD BASED ON A CASH FLOW ANALYSIS, THE REFUNDING BONDS WILL REFUND INTERCEPT BONDS, AND THE REFUNDING BONDS WILL NOT EXTEND THE NUMBER OF YEARS OF REPAYMENT, THEN THE REQUIREMENTS SET FORTH IN SUBPARAGRAPHS (II) AND (IV) OF

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PARAGRAPH (b) OF THIS SUBSECTION (1) SHALL NOT APPLY. NO LATER THAN FIFTEEN DAYS AFTER RECEIVING A REQUEST IN WRITING FROM A GOVERNING BOARD TO USE THE INTERCEPT PROGRAM, THE STATE TREASURER SHALL NOTIFY THE CAPITAL DEVELOPMENT COMMITTEE, THE JOINT BUDGET COMMITTEE, THE COLORADO COMMISSION ON HIGHER EDUCATION, AND THE OFFICE OF STATE PLANNING AND BUDGETING THAT THE GOVERNING BOARD HAS MET THE REQUIREMENTS OF THIS SUB-SUBPARAGRAPH (A). THE STATE TREASURER MAY MAKE RECOMMENDATIONS TO THE GOVERNING BOARD REGARDING THE STRUCTURE OF THE REFUNDING.

(B) IF THE STATE TREASURER DETERMINES THAT A GOVERNING BOARD DOES NOT MEET THE REQUIREMENTS SET FORTH IN SUBPARAGRAPH (II) OF PARAGRAPH (b) OF THIS SUBSECTION (1), THE STATE TREASURER CONFIRMS THAT THE REVENUE BONDS TO BE ISSUED ARE REFUNDING BONDS THAT RESULT IN COST SAVINGS TO THE GOVERNING BOARD BASED ON A CASH FLOW ANALYSIS, THE REFUNDING BONDS WILL EITHER REFUND REVENUE BONDS THAT ARE NOT INTERCEPT BONDS, OR THE REFUNDING BONDS WILL EXTEND THE NUMBER OF YEARS OF REPAYMENT, THEN THE REQUIREMENTS SET FORTH IN SUBPARAGRAPH (II) OF PARAGRAPH (b) OF THIS SUBSECTION (1) SHALL NOT APPLY. NO LATER THAN FIFTEEN DAYS AFTER RECEIVING A REQUEST IN WRITING FROM A GOVERNING BOARD TO USE THE INTERCEPT PROGRAM, THE STATE TREASURER SHALL NOTIFY THE CAPITAL DEVELOPMENT COMMITTEE, THE JOINT BUDGET COMMITTEE, THE COLORADO COMMISSION ON HIGHER EDUCATION, THE OFFICE OF STATE PLANNING AND BUDGETING, AND THE GOVERNING BOARD WHETHER OR NOT HE OR SHE RECOMMENDS THE REQUESTED USE OF THE INTERCEPT PROGRAM. THE GOVERNING BOARD MUST SUBSEQUENTLY SEEK APPROVAL FROM THE CAPITAL DEVELOPMENT COMMITTEE AND THE JOINT BUDGET COMMITTEE AS SET FORTH IN SUBSECTION (1.5) OF THIS SECTION. THE NOTIFICATION ISSUED BY THE STATE TREASURER MAY INCLUDE THE STATE TREASURER'S RECOMMENDATIONS REGARDING THE STRUCTURE OF THE REFUNDING.

(II) IF THE STATE TREASURER DETERMINES THAT A GOVERNING BOARD MEETS THE REQUIREMENTS SET FORTH IN SUBPARAGRAPH (II) OF PARAGRAPH (b) OF THIS SUBSECTION (1), THE STATE TREASURER CONFIRMS THAT THE REVENUE BONDS TO BE ISSUED ARE REFUNDING BONDS THAT RESULT IN COST SAVINGS TO THE GOVERNING BOARD BASED ON A CASH FLOW ANALYSIS BY THE STATE TREASURER, THE REFUNDING BONDS WILL REFUND INTERCEPT BONDS, AND THE REFUNDING BONDS WILL NOT EXTEND THE NUMBER OF YEARS OF REPAYMENT, THEN THE REQUIREMENTS SET FORTH IN SUBPARAGRAPH (IV) OF PARAGRAPH (b) OF THIS SUBSECTION (1) SHALL NOT APPLY. NO LATER THAN FIFTEEN DAYS AFTER RECEIVING A REQUEST IN WRITING FROM A GOVERNING BOARD TO USE THE INTERCEPT PROGRAM, THE STATE TREASURER SHALL NOTIFY THE CAPITAL DEVELOPMENT COMMITTEE, THE JOINT BUDGET COMMITTEE, THE COLORADO COMMISSION ON HIGHER EDUCATION, AND THE OFFICE OF STATE PLANNING AND BUDGETING THAT THE GOVERNING BOARD HAS MET THE REQUIREMENTS OF THIS SUBPARAGRAPH (II). THE STATE TREASURER MAY MAKE RECOMMENDATIONS TO THE GOVERNING BOARD REGARDING THE STRUCTURE OF THE REFUNDING.

(III) THE STATE TREASURER SHALL DEVELOP AND ISSUE GUIDELINES THAT DETAIL HOW THE STATE TREASURER WILL DETERMINE WHETHER A REFUNDING BOND RESULTS IN COST SAVINGS TO THE GOVERNING BOARD BASED ON A CASH FLOW ANALYSIS. THE STATE TREASURER MAY CONSULT WITH FINANCIAL ADVISORS IN ORDER TO DETERMINE WHETHER A REFUNDING BOND RESULTS IN COST SAVINGS TO THE GOVERNING BOARD ON A CASH FLOW ANALYSIS.

(d) (I) NO LATER THAN SEPTEMBER 1, 2016, AND EACH SEPTEMBER 1 THEREAFTER, THE STATE TREASURER SHALL PROVIDE THE CAPITAL DEVELOPMENT COMMITTEE, THE JOINT BUDGET COMMITTEE, THE COLORADO COMMISSION ON HIGHER EDUCATION, AND THE OFFICE OF STATE PLANNING AND BUDGETING WITH A REPORT THAT INCLUDES:

(A) THE CREDIT RATING DESCRIBED IN SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (II) OF PARAGRAPH (b) OF THIS SUBSECTION (1) OF EACH GOVERNING BOARD THAT HAS ISSUED INTERCEPT BONDS;

(B) THE DEBT SERVICE COVERAGE RATIO DESCRIBED IN SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (II) OF PARAGRAPH (b) OF THIS SUBSECTION (1) OF EACH GOVERNING BOARD THAT HAS ISSUED INTERCEPT BONDS;

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(C) THE TOTAL AMOUNT OF ALL INTERCEPT BONDS ISSUED BY GOVERNING BOARDS, INCLUDING THE ANTICIPATED PAYMENT SCHEDULE FOR SUCH INTERCEPT BONDS; AND

(D) THE TOTAL AMOUNT OF ALL REVENUE BONDS ISSUED BY GOVERNING BOARDS UNDER SECTION 23-5-101.7 (2), INCLUDING THE ANTICIPATED PAYMENT SCHEDULE FOR ALL SUCH REVENUE BONDS.

(II) THE REPORT DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (d) IS THE BASIS FOR THE ANNUAL PREAPPROVAL CERTIFICATE THAT THE STATE TREASURER SHALL ISSUE TO EACH GOVERNING BOARD THAT MEETS THE REQUIREMENTS SET FORTH IN SUBPARAGRAPH (II) OF PARAGRAPH (b) OF THIS SUBSECTION (1). IN THE EVENT A GOVERNING BOARD DESIRES TO ISSUE INTERCEPT BONDS BETWEEN THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (II) AND SEPTEMBER 1, 2016, THE CAPITAL DEVELOPMENT COMMITTEE MAY REQUEST THE STATE TREASURER TO ISSUE AN EARLY PREAPPROVAL CERTIFICATE FOR SUCH GOVERNING BOARD WHEN A PREAPPROVAL CERTIFICATE HAS NOT YET BEEN ISSUED. THE PREAPPROVAL CERTIFICATE MUST INCLUDE THE TOTAL AMOUNT OF INTERCEPT BONDS THAT THE GOVERNING BOARD MAY ISSUE FOR THE PERIOD THAT THE PREAPPROVAL CERTIFICATE COVERS. THE TOTAL AMOUNT OF INTERCEPT BONDS THAT A GOVERNING BOARD MAY ISSUE MUST BE CALCULATED BASED ON THE LESSER OF THE FOLLOWING, AS OF THE DATE OF ISSUANCE OF THE PREAPPROVAL CERTIFICATE:

(A) THE DIFFERENCE BETWEEN SEVENTY-FIVE PERCENT OF THE MOST RECENT FISCAL YEAR'S GENERAL FUND APPROPRIATIONS FOR STIPENDS AND FEE-FOR-SERVICE CONTRACTS THAT ARE REAPPROPRIATED TO SUCH GOVERNING BOARD AND THE TOTAL ANNUAL DEBT SERVICE PAYMENTS FOR INTERCEPT BONDS OF SUCH GOVERNING BOARD; OR

(B) THE TOTAL AMOUNT OF ADDITIONAL REVENUE BONDS A GOVERNING BOARD COULD ISSUE WHILE MAINTAINING THE REQUIREMENTS SET FORTH IN SUBPARAGRAPH (II) OF PARAGRAPH (b) OF THIS SUBSECTION (1).

(III) THE PREAPPROVAL CERTIFICATE DESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (d) MAY BE AMENDED IF REQUESTED BY THE CAPITAL DEVELOPMENT COMMITTEE AS SPECIFIED IN SUBPARAGRAPH (II) OF PARAGRAPH (a) OF SUBSECTION (1.5) OF THIS SECTION.

(IV) THE PREAPPROVAL CERTIFICATE DESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (d) MAY INCLUDE THE STATE TREASURER'S RECOMMENDATIONS REGARDING THE STRUCTURE OF ANY INTERCEPT BONDS TO BE ISSUED.

(1.5) (a) (I) A GOVERNING BOARD DESIRING TO ISSUE INTERCEPT BONDS SHALL PRESENT THE STATE TREASURER'S PREAPPROVAL CERTIFICATE, DESCRIBED IN PARAGRAPH (d) OF SUBSECTION (1) OF THIS SECTION, TO THE CAPITAL DEVELOPMENT COMMITTEE AND REQUEST APPROVAL FROM THE CAPITAL DEVELOPMENT COMMITTEE. THE REQUEST MUST INCLUDE:

(A) A DESCRIPTION OF THE PROJECT OR PROJECTS THAT THE GOVERNING BOARD SEEKS TO FINANCE THROUGH THE ISSUANCE OF INTERCEPT BONDS;

(B) THE MAXIMUM AMOUNT OF INTERCEPT BONDS THE GOVERNING BOARD SEEKS TO ISSUE FOR THE PROJECT OR PROJECTS;

(C) THE ANTICIPATED TERMS OF THE INTERCEPT BONDS INCLUDING THE MAXIMUM ANTICIPATED ANNUAL DEBT SERVICE PAYMENT; AND

(D) IF AVAILABLE, A COPY OF THE GOVERNING BOARD'S RESOLUTION THAT AUTHORIZES THE ISSUANCE OF REVENUE BONDS.

(II) IF THERE ARE ACTUAL OR ANTICIPATED CHANGES TO THE FINANCIAL POSITION AND CREDIT RATING OF THE GOVERNING BOARD THAT MAY AFFECT THE GOVERNING BOARD'S COMPLIANCE WITH PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION SINCE THE PREAPPROVAL CERTIFICATE WAS ISSUED BY THE STATE TREASURER, THE GOVERNING BOARD SHALL PROVIDE THE CAPITAL DEVELOPMENT COMMITTEE WITH DOCUMENTATION REGARDING SUCH CHANGES. THE CAPITAL DEVELOPMENT COMMITTEE MAY REQUEST THE STATE TREASURER TO PREPARE AN AMENDED PREAPPROVAL CERTIFICATE ON THE BASIS OF THE ADDITIONAL DOCUMENTATION.

(b) NO LATER THAN THIRTY DAYS AFTER THE REQUEST FOR APPROVAL DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1.5) DURING A REGULAR LEGISLATIVE SESSION OF THE GENERAL ASSEMBLY, OR

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NO LATER THAN FORTY-FIVE DAYS AFTER THE REQUEST FOR APPROVAL DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1.5) DURING ANY PERIOD THAT THE GENERAL ASSEMBLY IS NOT IN REGULAR LEGISLATIVE SESSION, THE CAPITAL DEVELOPMENT COMMITTEE SHALL REVIEW THE REQUEST FOR APPROVAL AND FORWARD A LETTER TO THE JOINT BUDGET COMMITTEE SETTING FORTH ITS APPROVAL OR DISAPPROVAL FOR SUCH GOVERNING BOARD TO USE THE INTERCEPT PROGRAM AND, IF APPROVED, ANY RECOMMENDATIONS THE CAPITAL DEVELOPMENT COMMITTEE MAY HAVE REGARDING THE MAXIMUM AMOUNT OF INTERCEPT BONDS THAT MAY BE ISSUED BY SUCH GOVERNING BOARD.

(c) NO LATER THAN FORTY-FIVE DAYS AFTER RECEIPT OF THE LETTER FROM THE CAPITAL DEVELOPMENT COMMITTEE DURING THE PERIOD OF OCTOBER 10 TO APRIL 10 OF ANY CALENDAR YEAR, OR NO LATER THAN NINETY-FIVE DAYS AFTER RECEIPT OF THE LETTER FROM THE CAPITAL DEVELOPMENT COMMITTEE DURING THE PERIOD OF APRIL 11 TO OCTOBER 9 OF ANY CALENDAR YEAR, THE JOINT BUDGET COMMITTEE SHALL REVIEW THE PROJECT OR PROJECTS AND THE GOVERNING BOARD'S REQUEST TO FINANCE THE PROJECT OR PROJECTS THROUGH THE ISSUANCE OF INTERCEPT BONDS. THE JOINT BUDGET COMMITTEE SHALL FORWARD A LETTER TO THE STATE TREASURER, THE OFFICE OF STATE PLANNING AND BUDGETING, THE COLORADO COMMISSION ON HIGHER EDUCATION, AND THE GOVERNING BOARD SETTING FORTH THE COMMITTEE'S APPROVAL OR DISAPPROVAL FOR SUCH GOVERNING BOARD TO USE THE INTERCEPT PROGRAM AND THE MAXIMUM AMOUNT OF INTERCEPT BONDS THAT MAY BE ISSUED BY SUCH GOVERNING BOARD.

(d) EXCEPT AS PROVIDED IN PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION, NO GOVERNING BOARD MAY ISSUE INTERCEPT BONDS UNTIL THE JOINT BUDGET COMMITTEE ISSUES THE APPROVAL LETTER DESCRIBED IN PARAGRAPH (c) OF THIS SUBSECTION (1.5).

(e) THE CAPITAL DEVELOPMENT COMMITTEE SHALL DEVELOP INSTRUCTIONS ON THE FORMAT FOR REQUESTS FOR APPROVAL TO ISSUE INTERCEPT BONDS. SUCH INSTRUCTIONS MUST BE DEVELOPED IN CONSULTATION WITH THE JOINT BUDGET COMMITTEE, THE COLORADO COMMISSION ON HIGHER EDUCATION, AND THE OFFICE OF STATE PLANNING AND BUDGETING. IF A REQUEST TO ISSUE INTERCEPT BONDS DOES NOT RELATE TO A NEW CAPITAL CONSTRUCTION, CAPITAL RENEWAL, OR CONTROLLED MAINTENANCE PROJECT, THE GUIDELINES MAY ALLOW THE GOVERNING BOARD TO SUBMIT THE REQUEST DIRECTLY TO THE CAPITAL DEVELOPMENT COMMITTEE.

(f) THE CAPITAL DEVELOPMENT COMMITTEE MAY REQUEST INPUT FROM THE STATE TREASURER ON ALL REQUESTS FROM A GOVERNING BOARD TO EXPAND OR RESTRUCTURE INTERCEPT BONDS.

(2) Whenever the paying agent has not received payment of principal of or interest on INTERCEPT bonds or other obligations to which this section applies on the business day immediately prior to the date on which such payment is due, the paying agent shall so notify the state treasurer and the institution by telephone, facsimile, or other similar communication, followed by written verification, of such payment status. The state treasurer shall immediately contact the institution and determine whether the institution will make the payment by the date on which it is due.

(3) If an institution indicates that it will not make a payment by the date on which it is due, or if the state treasurer is unable to contact the institution, the state treasurer shall forward the amount in immediately available funds necessary to make the payment of the principal of or interest on the bonds or other obligations of the institution INTERCEPT BONDS to the paying agent. The state treasurer shall recover the amount forwarded by withholding amounts from the institution's payments of the state's fee-for-service contract with the institution, from any other state support for the institution, and from any unpledged tuition OR OTHER moneys collected by the institution. ~~The total amount withheld in a month from the state's fee-for-service contract with the institution for each occasion on which the state treasurer forwards an amount pursuant to this section shall not exceed one-twelfth of the amount forwarded. The state treasurer shall not withhold for more than twelve consecutive months for each occasion on which the treasurer forwards amounts pursuant to this section. Notwithstanding any other provision of this subsection (3), an institution may elect to make early repayment of all or any portion of an amount forwarded by the state treasurer on behalf of~~

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~~the institution pursuant to this section.~~

(4) The amounts forwarded to the paying agent by the state treasurer pursuant to subsection (3) of this section shall be applied by the paying agent solely to the payment of the principal of or interest on such ~~bonds or other obligations of the institution~~ INTERCEPT BONDS. The state treasurer shall notify the department of higher education and the general assembly of amounts withheld and payments made pursuant to this section. Institutions that have a debt service payment forwarded to the paying agent by the state treasurer shall not request a supplemental general fund appropriation or budget amendment for the amount forwarded in order to replace withheld fee-for-service revenue.

(5) (a) Any ~~institution~~ GOVERNING BOARD with a ~~bond~~ AN INTERCEPT BOND issue for which this section applies shall file with the state treasurer WITHIN THIRTY DAYS OF ITS PUBLIC RELEASE a copy of the resolution that authorizes the issuance of INTERCEPT bonds; a copy of the official statement or other offering document for the INTERCEPT bonds; the agreement, if any, with the paying agent for the INTERCEPT bonds; and the name, address, and telephone number of the paying agent. A COPY OF THE OFFICIAL STATEMENT OR OTHER OFFERING DOCUMENT FOR THE INTERCEPT BONDS MUST ALSO BE SUBMITTED WITHIN THIRTY DAYS OF ITS PUBLIC RELEASE TO THE OFFICE OF STATE PLANNING AND BUDGETING, THE COLORADO COMMISSION ON HIGHER EDUCATION, THE CAPITAL DEVELOPMENT COMMITTEE, AND THE JOINT BUDGET COMMITTEE.

(b) ON THE DAY A PRELIMINARY OFFICIAL STATEMENT IS PUBLICLY RELEASED FOR AN INTERCEPT BOND TO BE ISSUED, THE GOVERNING BOARD SHALL NOTIFY THE STATE TREASURER, THE OFFICE OF STATE PLANNING AND BUDGETING, THE COLORADO COMMISSION ON HIGHER EDUCATION, THE CAPITAL DEVELOPMENT COMMITTEE, AND THE JOINT BUDGET COMMITTEE BY PROVIDING AN ELECTRONIC LINK TO OR AN ELECTRONIC COPY OF THE PRELIMINARY OFFICIAL STATEMENT.

(c) The failure of any ~~institution~~ GOVERNING BOARD to file ~~such~~ ANY information ~~shall~~ REQUIRED IN THIS SUBSECTION (5) DOES not affect the ~~obligation of the state treasurer to withhold the state's fee-for-service contract payments to the institution~~ STATE TREASURER'S OBLIGATIONS SET FORTH IN THIS SECTION.

(6) As provided in section 11 of article II of the state constitution, the state hereby covenants with the purchasers and owners of INTERCEPT bonds ~~issued by institutions~~ that it will not repeal, revoke, or rescind the provisions of this section or modify or amend this section so as to limit or impair the rights and remedies granted by this section; except that nothing in this subsection (6) shall be deemed or construed to require the state to continue the payment of state assistance to any institution or to limit or prohibit the state from repealing, amending, or modifying any law relating to the amount of state assistance to institutions or the manner of payment or the timing thereof. Nothing in this section shall be deemed or construed to create a debt of the state with respect to such INTERCEPT bonds within the meaning of any state constitutional provision or to create any other liability except to the extent provided in this section.

(7) Whenever the state treasurer is required by this section to make a payment of principal of or interest on INTERCEPT bonds ~~or other obligations~~ on behalf of an institution, the department of higher education shall initiate an audit of the institution to determine the reason for the nonpayment and to assist the institution, if necessary, in developing and implementing measures to ensure that future payments will be made when they are due.

(8) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "CASH FLOW ANALYSIS" MEANS A COMPARISON MADE BY THE STATE TREASURER OF A GOVERNING BOARD'S ANNUAL DEBT SERVICE CURRENTLY BEING PAID ON THE REVENUE BONDS OR INTERCEPT BONDS TO BE REFUNDED VERSUS ANNUAL DEBT SERVICE TO BE PAID ON THE INTERCEPT BONDS BEING ISSUED TO EFFECTUATE THE REFUNDING AND THE RESULTING DEBT SERVICE SAVINGS OR DISSAVINGS THAT ARE GENERATED. THE CASH FLOW ANALYSIS MUST CONSIDER THE UNIVERSE OF REFUNDING CANDIDATES AND REFUNDING BOND STATISTICS INCLUDING THE TRUE INTEREST COST, AVERAGE LIFE OF REFUNDED AND REFUNDING BONDS, AVERAGE ANNUAL DEBT SERVICE, GROSS DEBT SERVICE, AND THE EXPECTED PRESENT VALUE SAVINGS ON THE REFUNDING.

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(b) "GOVERNING BOARD" MEANS THE GOVERNING BODY OF A STATE INSTITUTION OF HIGHER EDUCATION.

(c) "INTERCEPT BONDS" MEANS REVENUE BONDS, REFUNDING BONDS, OR OTHER OBLIGATIONS ISSUED PURSUANT TO THIS SECTION.

(d) "INTERCEPT PROGRAM" MEANS THE PROGRAM SET FORTH IN THIS SECTION.

(e) "STATE INSTITUTION OF HIGHER EDUCATION" OR "INSTITUTION" HAS THE SAME MEANING AS SET FORTH IN SECTION 23-18-102 (10).".

Strike pages 4 through 11.

Page 12, strike lines 1 through 3.

Appropriations

After consideration on the merits, the Committee recommends that **HB16-1291** be **postponed indefinitely**.

Appropriations

After consideration on the merits, the Committee recommends that **HB16-1453** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, line 21, after "DESIGNEE;" add "EXCEPT THAT THE STATE AUDITOR OR THE STATE AUDITOR'S DESIGNEE SHALL BE A NONVOTING MEMBER OF THE COUNCIL AND SHALL ACT SOLELY IN AN ADVISORY CAPACITY WITH RESPECT TO THE COUNCIL'S ACTIVITIES;".

Page 9, strike lines 17 through 19 and substitute:

"(c) COORDINATE WITH COMMUNITY COLLEGES IN THE DEVELOPMENT AND TRANSFERABILITY OF APPROPRIATE CURRICULUM AND TECHNICAL CERTIFICATION PROGRAMS, AND PROVIDE COORDINATION FOR THE DEVELOPMENT OF ELEMENTARY AND SECONDARY EDUCATION FEEDER PROGRAMS;".

Appropriations

After consideration on the merits, the Committee recommends that **SB16-199** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Senate Health and Human Services Committee Report, dated April 28, 2016, page 5, line 4 strike "SESSION." and substitute "SESSION.

SECTION 11. Appropriation. (1) For the 2016-17 state fiscal year, \$225,000 is appropriated to the department of health care policy and financing for use by the executive director's office. This appropriation is from the department of health care policy and financing cash fund created in section 25.5-1-109, C.R.S. To implement this act, the executive director's office may use this appropriation for general professional services and special projects.

(2) For the 2016-17 state fiscal year. \$81.675 is appropriated to the department of human services for use by the state ombudsman program. This appropriation is from the PACE ombudsman fund created in section 26-11.5-113 (4) (b), C.R.S., and is based on an assumption that the department will require an additional 1.0 FTE.".

Page 5 of the report, after line 5 insert:

"Page 1 of the bill, line 105, strike "ELDERLY." and substitute "ELDERLY, AND MAKING AN APPROPRIATION.".

Appropriations

After consideration on the merits, the Committee recommends that **HB16-1097** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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Appropriations

After consideration on the merits, the Committee recommends that **SB16-001** 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 3, strike "(III); and add (4) (f) (IV)".

Page 2, strike lines 7 through 23.

Strike page 3.

Page 4, strike lines 1 through 13 and substitute:

~~"(f) (I) For income tax years commencing on or after January 1, 1989;~~ Amounts received as pensions or annuities from any source, by any individual who is fifty-five years of age or older at the close of the taxable year, to the extent included in federal adjusted gross income or as added in paragraph (c) of subsection (3) of this section;

~~(II) For income tax years commencing on or after January 1, 1989;~~ Amounts received as pensions or annuities from any source by any individual who is less than fifty-five years of age at the close of the taxable year if such benefits are received because of the death of the person originally entitled to receive such benefits and only to the extent such benefits are included in federal adjusted gross income or as added in paragraph (c) of subsection (3) of this section;

(II.5) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2017, THERE IS NO LIMIT ON THE AMOUNT SUBTRACTED UNDER SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (f) FOR AN AMOUNT RECEIVED AS A PENSION OR ANNUITY THAT ARISES FROM AN INDIVIDUAL'S SERVICE IN THE UNIFORMED SERVICES OF THE UNITED STATES.

~~(III) For income tax years commencing on or after January 1, 1989;~~ Amounts subtracted under SUBPARAGRAPHS (I) AND (II) OF this paragraph (f) FOR A PENSION OR ANNUITY THAT ARISES FROM ANY SOURCE OTHER THAN AN INDIVIDUAL'S SERVICE IN THE UNIFORMED SERVICES OF THE UNITED STATES, shall not exceed twenty thousand dollars per tax year; except that ~~for income tax years commencing on or after January 1, 2000;~~ amounts subtracted under subparagraph (I) of this paragraph (f) FROM THESE SAME SOURCES shall not exceed twenty-four thousand dollars per tax year for any individual who is sixty-five years of age or older at the close of the taxable year. For the purpose of determining the exclusion allowed by this paragraph (f), in the case of a joint return, social security benefits included in federal taxable income shall be apportioned in a ratio of the gross social security benefits of each taxpayer to the total gross social security benefits of both taxpayers. For the purposes of this paragraph (f), "pensions and OR annuities" means retirement benefits that are periodic payments attributable to personal services performed by an individual prior to his or her retirement from employment and that arise from an employer-employee relationship, from service in the uniformed services of the United States, or from contributions to a retirement plan which are deductible for federal income tax purposes. "Pensions and OR annuities" includes ~~lump-sum distributions from pension and profit sharing plans to the extent that such distributions qualify for the tax-averaging computation under section 402~~ (e) (1) of the internal revenue code; distributions from individual retirement arrangements and self-employed retirement accounts to the extent that such distributions are not deemed to be premature distributions for federal income tax purposes, amounts received from fully matured privately purchased annuities, social security benefits, and amounts paid from any such sources by reason of permanent disability or death of the person entitled to receive the benefits.

SECTION 2. Act subject to petition - effective date - applicability. (1) This act".

Page 4, after line 22 insert:

"(2) This act applies for income tax years that commence after the applicable effective date of this act.".

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Strike the Finance Committee Report, dated January 28, 2016.

Appropriations

After consideration on the merits, the Committee recommends that **HB16-1332** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that **HB16-1080** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that **HB16-1277** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 6, strike lines 5 through 27 and substitute:

"SECTION 2. Appropriation. (1) For the 2016-17 state fiscal year, \$2,500 is appropriated to the department of health care policy and financing for use by the executive director's office. This appropriation is from the general fund, and is subject to the "(M)" notation as defined in the annual general appropriation act for the same fiscal year. To implement this act, the office may use this appropriation for Medicaid management information system maintenance and projects.

(2) For the 2016-17 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive \$22,500 in federal funds for Medicaid management information system maintenance and projects. The appropriation in subsection (1) of this section is based on the assumption that the department will receive this amount of federal funds."

Page 7, strike lines 1 through 6.

Appropriations

After consideration on the merits, the Committee recommends that **SB16-003** 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 21 strike "ONE MILLION".

Page 3, after line 11 insert:

"SECTION 4. In Colorado Revised Statutes, 2-3-1602, amend (1) as follows:

2-3-1602. Wildfire matters review committee - creation - repeal of part. (1) To address wildfire prevention and mitigation and to review and propose legislation relating to such matters, the wildfire matters review committee is hereby created, and is referred to in this part 16 as the "committee". The committee shall meet at the call of the chair at least once during the interim of each year to review and to propose legislation or other policy changes relating to wildfire prevention and mitigation and all related matters, including, without limitation, public safety and forest health issues. The committee may TAKE UP TO TWO FIELD TRIPS DURING THE INTERIM AND consult with experts in all fields relating to wildfire prevention and mitigation as may be necessary to achieve the objectives of this part 16. All personnel of any state agency or political subdivision of Colorado involved in wildfire prevention and mitigation, including the Colorado department of public safety and the Colorado state forest service, shall cooperate with the committee and with any persons assisting the committee in carrying out its duties pursuant to this section. ~~On June 5, 2013, any remaining powers, duties, and responsibilities delegated to and possessed by the lower north fork wildfire commission created in section 2-2-1702 (1) are hereby transferred to the committee."~~

Renumber succeeding section accordingly.

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Page 1, strike lines 101 through 104 and substitute "CONCERNING INCREASED METHODS TO REDUCE WILDFIRE RISK."

Appropriations

After consideration on the merits, the Committee recommends that HB16-1172 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

SENATE SERVICES REPORT

- Correctly Printed: SB16-210 and 211.
Correctly Engrossed: SB16-019, 138, 161, 180, 181, 187, and 188; SCR16-005.
Correctly Reengrossed: SB16-069, 104, 143, 146, 163, 193, 198, 201, 202, 203, and 205.
Correctly Revised: HB16-1114, 1186, 1257, 1373, and 1377.
Correctly Rerevised: HB16-1034, 1056, 1129, 1177, 1197, 1280, 1282, 1302, 1311, 1320, 1324, 1349, 1387, 1402, 1423, 1425, 1432, and 1442.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Special Orders -- Second Reading of Bills Calendar (SB16-087, SB16-186) of Tuesday, May 3 was laid over to follow the General Orders -- Second Reading of Bills Calendar of Tuesday, May 3.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON SB16-062

THIS REPORT AMENDS THE REREVISED BILL

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

Your first conference committee appointed on SB16-062, concerning modifications to the regulation of veterinary pharmaceuticals, has met and reports that it has agreed upon the following:

That the Senate accede to the House amendments made to the bill, as the amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 2, line 5, after "(a)" insert "(I)".

Page 2, strike lines 8 through 12 and substitute "EACH APPOINTED BY THE STATE VETERINARIAN WHO SERVES UNDER THE COMMISSIONER OF AGRICULTURE PURSUANT TO SECTION 35-50-104, C.R.S., AS".

Page 2, line 14, strike "(I)" and substitute "(A)".

Page 2, line 16, strike "STATE" and substitute "STATE, IN GOOD STANDING,".

Page 2, strike lines 17 through 24 and substitute "PRACTICE OF VETERINARY MEDICINE;

(B) ONE MEMBER WHO IS EITHER A LICENSED PHARMACEUTICAL WHOLESALER ENGAGED IN THE DISTRIBUTION OF ANIMAL DRUGS, HAVING

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AT LEAST FIVE YEARS' EXPERIENCE IN THIS STATE, IN GOOD STANDING, AND ACTIVELY ENGAGED IN THE PRACTICE OF WHOLESALE PHARMACY OR A LICENSED VETERINARIAN, HAVING AT LEAST FIVE YEARS' EXPERIENCE IN THIS STATE, IN GOOD STANDING, AND ACTIVELY ENGAGED IN THE PRACTICE OF VETERINARY MEDICINE, BUT WHO IS NOT BOTH A PHARMACEUTICAL WHOLESALER AND A VETERINARIAN; AND

(C) ONE MEMBER WHO HAS A BACKGROUND IN AGRICULTURE AND WHO IS NOT A PHARMACIST, PHARMACEUTICAL WHOLESALER, OR VETERINARIAN.

(II) THE STATE VETERINARIAN SHALL CHOOSE A PERSON WHO DOES NOT DO BUSINESS ALONG THE FRONT RANGE FOR AT LEAST ONE OF THE PROFESSIONAL APPOINTMENTS ON THE ADVISORY COMMITTEE.

(b) THE MEMBERS OF THE ADVISORY COMMITTEE SERVE THREE-YEAR TERMS; EXCEPT THAT THE STATE VETERINARIAN SHALL APPOINT ONE OF THE INITIAL MEMBERS OF THE ADVISORY COMMITTEE FOR A TWO-YEAR TERM. IF THERE IS A VACANCY ON THE ADVISORY COMMITTEE, THE STATE VETERINARIAN SHALL APPOINT A SUCCESSOR TO FILL THE UNEXPIRED PORTION OF THE MEMBER'S TERM."

Page 3, strike lines 1 through 18.

Page 3, strike lines 25 through 27 and substitute:

"(III) A MEMBER OF THE ADVISORY COMMITTEE SHALL NOT PERFORM AN OFFICIAL ACT THAT:

(A) MAY PROVIDE A DIRECT ECONOMIC BENEFIT TO A BUSINESS OR OTHER UNDERTAKING IN WHICH THE MEMBER HAS A DIRECT OR SUBSTANTIAL FINANCIAL INTEREST; OR

(B) INVOLVES A PERSON WITH WHOM THE MEMBER HAS ENGAGED IN A SUBSTANTIAL NUMBER OF BUSINESS TRANSACTIONS."

Page 4, strike lines 1 and 2.

Page 4, line 26, strike "MEET" and substitute "MEET, IN PERSON OR BY TELECONFERENCE,".

Page 5, line 7, after "CONCLUSIONS." add "AT THE ADVISORY COMMITTEE'S DISCRETION, THE ADVISORY COMMITTEE MAY ALSO PRESENT ITS RECOMMENDATIONS TO THE BOARD IN PERSON OR BY TELECONFERENCE."

Page 5, lines 16 and 17, strike "BOARD OF VETERINARY MEDICINE," and substitute "STATE VETERINARIAN,".

Respectfully submitted,

Senate Committee:
(signed)
Vicki Marble, Chairman
Jerry Sonnenberg
Leroy Garcia, Jr.

House Committee:
(signed)
Ed Vigil, Chairman
Jon Becker
Joann Ginal

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:

HB16-1423 by Representative(s) Lundeen and Garnett; also Senator(s) Hill--Concerning measures to maximize trust in the use of student data in the elementary and secondary education system.

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

SB16-181 by Senator(s) Woods and Jahn, Aguilar, Carroll, Cooke, Guzman, Hill, Kerr, Lundberg, Marble, Martinez Humenik, Newell, Scheffel, Steadman, Todd; also Representative(s) Kagan and Dore, Garnett, Wist--Concerning the sentencing of persons convicted of class 1 felonies committed while the persons were juveniles.

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

YES	33	NO	2	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	N	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	N	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

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

Co-sponsor(s) added: Donovan, Garcia, Heath, Holbert, Kefalas, Lambert, Merrifield, Neville T., Tate, and Ulibarri.

Senator Cooke requested his name be removed as sponsor on SB16-181.

HB16-1377 by Representative(s) Primavera, Joshi, Coram, Landgraf, McCann, Moreno, Tyler; also Senator(s) Lambert--Concerning the creation of a task force on the collection and security of digital images of evidence of child abuse or neglect.

A majority of those elected to the Senate having voted in the affirmative, Senator Lambert was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.012), by Senator Lambert.

Amend revised bill, page 4, line 11, after "DOCUMENTING" insert "SUSPECTED".

Page 4, line 17, after "DOCUMENT" insert "SUSPECTED".

Page 4, line 22, after "OF" insert "SUSPECTED".

Page 5, line 19, strike "INTEREST IN" and substitute "KNOWLEDGE OF".

Page 5, line 25, after "VISIBLE" insert "OR NOT VISIBLE".

Page 5, line 26, strike the first "AND MAKE".

Page 6, line 2, before "CHILD" insert "SUSPECTED".

Page 7, line 14, strike "NORMALLY".

Page 8, line 1, before "CHILD" insert "SUSPECTED".

Page 11, line 24, before "ABUSE" insert "SUSPECTED".

Page 12, line 16, before "CHILD" insert "SUSPECTED".

Page 12, line 18, before "CHILD" insert "SUSPECTED".

Page 12, line 23, before "CHILD" insert "SUSPECTED".

Page 14, line 16, before "ABUSE" insert "SUSPECTED".

Page 14, strike line 24 and substitute:

"(4) THE TASK FORCE SHALL STUDY THE FOLLOWING SEQUENCE OF EVENTS AND RECOMMEND BEST PRACTICES WHEN A".

The amendment 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		

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

YES	30	NO	5	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	N	Steadman	Y
Cooke	N	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	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, as amended, was **passed**.

Co-sponsor(s) added: Aguilar, Heath, Hill, Jahn, Johnston, Kefalas, Kerr, Lundberg, Martinez Humenik, Newell, Scheffel, and Todd.

HB16-1373 by Representative(s) Singer; also Senator(s) Holbert and Marble--Concerning requiring school districts to adopt a policy permitting the use of medical marijuana by students authorized to use medical marijuana.

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, Carroll, Donovan, Garcia, Guzman, Heath, Hodge, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Merrifield, Neville T., Newell, Scheffel, Scott, Steadman, Tate, Todd, Ulibarri, and Woods.

SB16-138 by Senator(s) Scott; also Representative(s) Priola--Concerning a study of the delegation of functions of certain regulations related to motor vehicles administered by the department of revenue.

A majority of those elected to the Senate having voted in the affirmative, Senator Scott was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.004), by Senator Scott.

Amend engrossed bill, page 4, after line 1 insert:

SECTION 2. In Colorado Revised Statutes, **add** 42-1-232 as follows:

42-1-232. Kiosk pilot program. (1) THE DEPARTMENT MAY CONDUCT A KIOSK PILOT PROGRAM USING A PRIVATE PROVIDER OF MOTOR VEHICLE SERVICES USING THE DEPARTMENT OFFICE OR THE OFFICES OF AN AUTHORIZED AGENT.

(2) THE DEPARTMENT MAY ASSESS A CONVENIENCE FEE, NOT TO EXCEED THREE DOLLARS, FOR THE SERVICES PROVIDED IN THE KIOSK PILOT PROGRAM. THE DEPARTMENT MAY AUTHORIZE THE AUTHORIZED AGENT OR THE PRIVATE PROVIDER TO RETAIN A PORTION OF THE SERVICE FEE.

(3) THE DEPARTMENT MAY ACCEPT FINANCIAL ASSISTANCE FROM AN AUTHORIZED AGENT OR A PRIVATE PARTY TO IMPLEMENT THIS PROGRAM, SO LONG AS THE FINANCIAL ASSISTANCE IS DIRECTLY RELATED TO THE KIOSK PILOT PROGRAM AND DOES NOT STIPULATE A CONDITION THAT CONFLICTS WITH STATE LAW.

(4) ANY PRIVATE PROVIDER PARTICIPATING IN THE KIOSK PILOT PROGRAM IS NOT EXCLUDED FROM ANY COMPETITIVE BID PROCESS ARISING FROM LEGISLATION PASSED OR RULES PROMULGATED ON ACCOUNT OF THE STUDY DONE UNDER SECTION 42-1-231, C.R.S."

Renumber succeeding sections accordingly.

The amendment 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		

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	N	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	Hodge	N	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	N	Todd	Y
Donovan	Y	Johnston	N	Neville T.	Y	Ulibarri	N
Garcia	Y	Jones	N	Newell	N	Woods	Y
Grantham	Y	Kefalas	N	Roberts	Y	President	Y
Guzman	Y	Kerr	N	Scheffel	Y		

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

Co-sponsor(s) added: Cadman, Cooke, Crowder, Holbert, Jahn, Lambert, Lundberg, Martinez Humenik, Neville T., Scheffel, Tate, and Woods.

HB16-1114 by Representative(s) DelGrosso; also Senator(s) Ulibarri--Concerning the repeal of duplicate reporting requirements.

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, Carroll, Guzman, Heath, Jahn, Kefalas, Merrifield, Newell, Scott, Tate, and Woods.

HB16-1257 by Representative(s) McCann, Foote, Kagan; also Senator(s) Scheffel, Johnston, Steadman--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

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

YES	30	NO	5	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	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	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, Guzman, Heath, Hodge, and Roberts.

HB16-1186 by Representative(s) Tyler; also Senator(s) Baumgardner--Concerning the allocation of a portion of fee revenues collected from public utilities to meet Colorado's grant match obligations under federal law governing the funding of fixed rail guideway safety oversight programs, and, in connection therewith, making an appropriation.

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

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

SB16-161 by Senator(s) Crowder; also Representative(s) Primavera--Concerning the regulation of athletic trainers by the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, making an appropriation.

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

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

SB16-180 by Senator(s) Woods and Jahn, Aguilar, Guzman, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Newell, Scheffel, Steadman, Todd, Ulibarri; also Representative(s) Kagan and Ransom, Priola, Danielson, Dore, Garnett, Klingenschmitt, McCann, Moreno, Rosenthal, Willett, Wist--Concerning a specialized program within the department of corrections for certain offenders who were convicted as adults for offenses they committed as juveniles, and, in connection therewith, making an appropriation.

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	N
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	N	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	N	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	N	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

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

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

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

MESSAGE FROM THE HOUSE

May 3, 2016

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB16-1448.

The House has passed on Third Reading and transmitted to the Revisor of Statutes

HB16-1376, amended as printed in House Journal, April 28.

HB16-1003, amended as printed in House Journal, April 28.

HB16-1031, amended as printed in House Journal, May 2

HB16-1077, amended as printed in House Journal, May 2, and amended on Third Reading as printed in House Journal, May 3.

The House has passed on Third Reading and returns herewith SB16-156, 140, 173.

The House has postponed indefinitely SB16-086, 151, 154, 079. The bills are returned herewith.

The Speaker has appointed Representatives Salazar, chairman, Ryden, and Neville as House conferees on the First Conference Committee on SB16-106.

MESSAGE FROM THE REVISOR OF STATUTES

May 3, 2016

We herewith transmit:

Without comment, HB16-1448.

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Without comment, as amended, HB16-1003, 1031, 1077, and 1376.

THIRD READING OF BILLS -- FINAL PASSAGE (cont'd)

SCR16-005 by Senator(s) Martinez Humenik and Todd; also Representative(s) Priola and Court-- Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning county surveyors, and, in connection therewith, repealing a requirement that each county in the state elect a county surveyor and allowing each county to determine whether a surveyor should be elected or appointed and to establish the term and any compensation to be provided to a surveyor.

Laid over until Wednesday, May 4, retaining its place on the calendar.

SB16-019 by Senator(s) Cooke; also Representative(s) Saine and Foote--Concerning a requirement that court-ordered mental condition examinations be recorded, and, in connection therewith, making an appropriation.

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	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	N	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, Marble, Martinez Humenik, Neville T., Roberts, Tate, Todd, and Woods.

SB16-187 by Senator(s) Hill; also Representative(s) Williams and Sias--Concerning measures affecting the operation of charter schools.

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	Hodge	Y	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	N	Todd	N
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	N
Garcia	N	Jones	N	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	N	Kerr	N	Scheffel	Y		

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

Co-sponsor(s) added: Baumgardner, Cadman, Cooke, Grantham, Holbert, Johnston, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Roberts, Scheffel, Scott, Tate, and Woods.

SB16-188 by Senator(s) Hill; also Representative(s) Williams and Sias--Concerning increasing charter schools' access to resources.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	Hodge	Y	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	N
Crowder	Y	Jahn	Y	Merrifield	N	Todd	N
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	N
Garcia	N	Jones	N	Newell	N	Woods	Y
Grantham	Y	Kefalas	N	Roberts	Y	President	Y
Guzman	N	Kerr	N	Scheffel	Y		

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

Co-sponsor(s) added: Baumgardner, Cadman, Cooke, Grantham, Holbert, Johnston, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Roberts, Scheffel, Scott, Sonnenberg, and Woods.

RECONSIDERATION OF SB16-181

SB16-181 by Senator(s) Woods and Jahn, Aguilar, Carroll, Cooke, Guzman, Hill, Kerr, Lundberg, Marble, Martinez Humenik, Newell, Scheffel, Steadman, Todd; also Representative(s) Kagan and Dore, Garnett, Wist--Concerning the sentencing of persons convicted of class 1 felonies committed while the persons were juveniles.

Having voted on the prevailing side, Majority Leader Scheffel moved for reconsideration of the last Senate action, Third Reading of Bills - Final Passage, on SB16-181.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

THIRD READING OF BILLS -- FINAL PASSAGE (cont'd)

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB16-181 by Senator(s) Woods and Jahn, Aguilar, Carroll, Cooke, Guzman, Hill, Kerr, Lundberg, Marble, Martinez Humenik, Newell, Scheffel, Steadman, Todd; also Representative(s) Kagan and Dore, Garnett, Wist--Concerning the sentencing of persons convicted of class 1 felonies committed while the persons were juveniles.

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

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	N
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	N	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	N	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

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

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB16-1427** be **referred** to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB16-1079** be **postponed indefinitely**.

Local Government

After consideration on the merits, the Committee recommends that **SB16-211** 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 5, line 14, after "CHALLENGED," insert "EXCEPT AS PROVIDED IN THIS SUBSECTION (6),".

Page 5, line 18, after "CHALLENGED," insert "EXCEPT AS PROVIDED IN THIS SUBSECTION (6),".

Page 6, after line 3 insert:

"(c) NOTHING IN THIS SUBSECTION (6) IS INTENDED TO LIMIT CHALLENGES BY LEGAL PROCEEDINGS IN THE NATURE OF QUO WARRANTO TO THE CONTINUING SERVICE OF PERSONS APPOINTED OR ELECTED TO A BOARD WHO MAY NO LONGER BE ELIGIBLE TO SERVE IN ACCORDANCE WITH SECTION 32-1-905 TOGETHER WITH CHALLENGES TO THE ACTIONS OF SUCH BOARD TAKEN AFTER INITIATION OF THOSE LEGAL PROCEEDINGS."

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB16-1451** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB16-1112** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, strike line 7.

Page 6, line 8, strike "28-5-709 (3.5) (d), C.R.S." and substitute "ASSEMBLY AND ANY MONEY RECEIVED PURSUANT TO SUBSECTION (2) OF THIS SECTION."

Page 7, strike lines 9 through 17.

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Renumber succeeding section accordingly.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1368** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 18, line 11, after "**board.**" insert "(1)".

Page 18, strike lines 14 through 18 and substitute "PRESERVATION OF RECORDS. IF THE STATE ARCHIVIST CONVENES THE BOARD, THE STATE ARCHIVIST SHALL ENSURE THAT TECHNICAL EXPERTS FROM THE FOLLOWING GOVERNMENTAL AGENCIES AND NONPROFIT ENTITIES HAVE AN OPPORTUNITY TO PARTICIPATE IN THE WORK OF THE BOARD:

(a) EXECUTIVE BRANCH AGENCIES UNDER THE GOVERNOR'S PURVIEW;

(b) THE OFFICE OF THE ATTORNEY GENERAL;

(c) THE OFFICE OF THE SECRETARY OF STATE;

(d) THE GENERAL ASSEMBLY;

(e) THE JUDICIAL BRANCH;

(f) A NONPROFIT ORGANIZATION THAT REPRESENTS COUNTIES AND A NONPROFIT ORGANIZATION THAT REPRESENTS COUNTY CLERKS;

(g) A NONPROFIT ORGANIZATION THAT REPRESENTS MUNICIPALITIES AND A NONPROFIT ORGANIZATION THAT REPRESENTS MUNICIPAL CLERKS; AND

(h) A NONPROFIT ORGANIZATION THAT REPRESENTS SPECIAL DISTRICTS.

(2) EACH GOVERNMENTAL AGENCY AND NONPROFIT ENTITY THAT IS ASKED TO PARTICIPATE IN THE RECORDS ADVISORY BOARD PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL DESIGNATE THE APPROPRIATE PERSON FROM THE AGENCY OR ENTITY TO PARTICIPATE IN THE WORK OF THE BOARD.

(3) IF THE STATE ARCHIVIST CONVENES A RECORDS ADVISORY BOARD, THE BOARD SHALL HAVE THE FOLLOWING GOALS:

(a) IDENTIFY, RESEARCH, AND PRIORITIZE RECORDS MANAGEMENT, PRESERVATION, AND ACCESS PROBLEMS;

(b) ASSIST IN THE DEVELOPMENT OF RECORDS MANAGEMENT POLICIES AND PROCEDURES;

(c) COLLECT AND SHARE ACCEPTED PRESERVATION AND ARCHIVAL BEST PRACTICES;

(d) ASSIST IN THE APPRAISAL OF RECORDS FOR HISTORICAL VALUE;

(e) REVIEW RECORDS RETENTION SCHEDULES; AND

(f) STUDY AND DEVELOP STANDARDS AND MANAGEMENT PROGRAMS TO ADDRESS THE CREATION, MAINTENANCE, ARCHIVING, AND ACCESS OF PERMANENT DIGITAL RECORDS."

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1393** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1117** be **referred** to the Committee on Appropriations with favorable recommendation.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **HB16-1211** be **referred** to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB16-1047** be **referred** to the Committee on Appropriations with favorable recommendation.

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- Finance After consideration on the merits, the Committee recommends that **HB16-1404** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation. 1
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- Amend reengrossed bill, page 4, line 5, after the first "CONTEST" insert "WITH AN ENTRY FEE". 7
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- Page 4, strike line 10 and substitute "ACCOUNTS WHO PARTICIPATE IN FANTASY CONTESTS WITH AN ENTRY FEE.". 10
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- Page 5, line 6, after the comma insert "A SMALL FANTASY CONTEST OPERATOR IS NOT SUBJECT TO THE REQUIREMENTS OF SECTION 12-15.5-106 (2) REGARDING AN ANNUAL AUDIT,". 13
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- Page 12, after line 19 insert: 17
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- "12-15.5-112. Repeal.** THIS ARTICLE IS REPEALED, EFFECTIVE SEPTEMBER 1, 2020. BEFORE ITS REPEAL, THIS ARTICLE IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 24-34-104, C.R.S. 19
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- SECTION 2.** In Colorado Revised Statutes, 24-34-104, **add** (51.5) (j) as follows: 22
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- 24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment.** 24
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- (51.5) The following agencies, functions, or both terminate on September 1, 2020: 26
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- (j) THE REGULATION OF FANTASY CONTEST OPERATORS BY THE DEPARTMENT PURSUANT TO SECTIONS 12-15.5-103 TO 12-15.5-107, 12-15.5-109, AND 12-15.5-110, C.R.S.". 28
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- Renumber succeeding sections accordingly. 32
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- Finance After consideration on the merits, the Committee recommends that **HB16-1295** be **postponed indefinitely**. 35
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- Finance After consideration on the merits, the Committee recommends that **HB16-1175** be **referred** to the Committee on Appropriations with favorable recommendation. 39
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- Finance After consideration on the merits, the Committee recommends that **HB16-1261** be **referred** to the Committee on Appropriations with favorable recommendation. 43
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- Finance After consideration on the merits, the Committee recommends that **SB16-194** be **referred** to the Committee on Appropriations with favorable recommendation. 47
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- Finance After consideration on the merits, the Committee recommends that **HB16-1362** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation. 51
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- Amend reengrossed bill, page 19, strike lines 13 through 18 and substitute "\$47,665 is appropriated to the department of personnel. This appropriation is from the disability support fund created in section 24-30-2205.5 (1), C.R.S., and is based on an assumption that the committee will require an additional 0.5 FTE. To implement this act, the department may use this appropriation for administrative support of the Colorado disability funding committee.". 56
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- Finance After consideration on the merits, the Committee recommends that **HB16-1321** be **referred** to the Committee on Appropriations with favorable recommendation. 65
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Finance After consideration on the merits, the Committee recommends that **SB16-209** 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 **HB16-1457** 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 reengrossed bill, page 2, line 3, strike "16-____," and substitute "16-1457,".

Finance After consideration on the merits, the Committee recommends that **HB16-1394** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, line 18, after "CARETAKER" insert "KNOWINGLY".

Page 16, strike lines 24 through 27 and substitute:

"(XXII) (A) PERSONNEL OF BANKS, SAVINGS AND LOAN ASSOCIATIONS, CREDIT UNIONS, AND OTHER LENDING OR FINANCIAL INSTITUTIONS WHO DIRECTLY OBSERVE IN PERSON THE MISTREATMENT OF AN AT-RISK ELDER OR WHO HAVE REASONABLE CAUSE TO BELIEVE THAT AN AT-RISK ELDER HAS BEEN MISTREATED OR IS AT IMMINENT RISK OF MISTREATMENT; AND

(B) PERSONNEL OF BANKS, SAVINGS AND LOAN ASSOCIATIONS, CREDIT UNIONS, AND OTHER LENDING OR FINANCIAL INSTITUTIONS WHO DIRECTLY OBSERVE IN PERSON THE MISTREATMENT OF AN AT-RISK ADULT WITH IDD OR WHO HAVE REASONABLE CAUSE TO BELIEVE THAT AN AT-RISK ADULT WITH IDD HAS BEEN MISTREATED OR IS AT IMMINENT RISK OF MISTREATMENT BY REASON OF ACTUAL KNOWLEDGE OF FACTS OR CIRCUMSTANCES INDICATING THE MISTREATMENT.".

Page 17, strike lines 1 through 8.

Page 21, line 6, after "CARETAKER" insert "KNOWINGLY".

Page 33, line 4, after "CARETAKER" insert "KNOWINGLY".

Finance After consideration on the merits, the Committee recommends that **HB16-1222** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 15, after line 15 insert:

"SECTION 2. In Colorado Revised Statutes, amend 22-30.7-109.5 as follows:

22-30.7-109.5. Online programs and online schools - report to authorizer and department. Each online program and online school shall annually submit to its authorizer and to the department information, pursuant to state board rules, concerning sound financial and accounting practices and resources. A multi-district online school shall notify its authorizer and the department of any intent to amend the program's or school's application for certification ~~which shall include any intent to expand grade levels served by the program or school. any intent to change education service providers, or other intended changes, as defined by the state board.~~ If the department concludes that the online program or online school should not be permitted to amend its application for certification TO EXPAND GRADE LEVELS SERVED BY THE PROGRAM OR SCHOOL based on the quality standards established by the state board pursuant to section 22-30.7-105, the department shall notify the authorizer and the online program or online school of its decision within thirty days of AFTER receiving the notification from the program or school. The authorizer shall then have thirty days to appeal the department's decision to the state board, pursuant to the state board's

administrative policies."

Renumber succeeding sections accordingly.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SR16-004 by Senator(s) Scheffel, Guzman, Cadman; --Concerning changes to Senate Rule 24A regarding the sponsorship of bills.

On motion of Majority Leader Scheffel, **SR16-004** was laid over to the end of the Consideration of Resolutions Calendar of Tuesday, May 3.

INTRODUCTION OF BILLS -- FIRST READING

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

HB16-1003 by Representative(s) Pettersen and Young; also Senator(s) Merrifield and Todd-- Concerning the state income tax deductions for contributions to and distributions of investment earnings from the qualified state tuition program established by collegeinvest. State, Veterans, & Military Affairs

HB16-1031 by Representative(s) Carver; also Senator(s) Cooke--Concerning a requirement that legislative council staff present a study of the transportation commission districts of the state to the transportation legislation review committee. Finance

HB16-1077 by Representative(s) Moreno; also Senator(s) Martinez Humenik--Concerning the recreation of the statutory revision committee, and, in connection therewith, making an appropriation. Finance

HB16-1376 by Representative(s) Esgar and Winter, Becker K., Danielson, Fields, Garnett, Hullinghorst, Kagan, Lebsock, Lontine, McCann, Melton, Mitsch Bush, Moreno, Pettersen, Primavera, Ryden, Salazar, Tyler; also Senator(s) Carroll--Concerning increasing the authority of the office of consumer counsel to advocate on behalf of consumers of public utility services, and, in connection therewith, making an appropriation. State, Veterans, & Military Affairs

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

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

On motion of Majority Leader Scheffel, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB16-1378, HB16-1097, HB16-1332, HB16-1080, HB16-1172, SB16-211, HB16-1451, HB16-1393, SB16-209, and HB16-1457 were made Special Orders at 6:49 p.m.

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Upon request of Majority Leader Scheffel, **HB16-1378** and **SB16-211** were removed from the Special Orders--Second Reading of Bills Consent Calendar of Tuesday, May 3 and were placed at the end of the Special Orders--Second Reading of Bills Calendar of Tuesday, May 3.

Committee of the Whole The hour of 6:49 p.m. having arrived, Senator Sonnenberg moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills -- Consent Calendar, and Senator Sonnenberg was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

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

HB16-1097 by Representative(s) Coram and Moreno; also Senator(s) Scott--Concerning regulation of medicaid nonemergency transportation providers, and, in connection therewith, making and reducing an appropriation.

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

HB16-1332 by Representative(s) Duran and Rankin; also Senator(s) Scott and Johnston--Concerning modifications to the income tax credits for alternative fuel motor vehicles, and, in connection therewith, fixing specified dollar amounts for the credits, allowing the credit to be assigned to a financing entity, requiring vehicle identification number tracking of the motor vehicle for which a credit is claimed, and making an appropriation.

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

HB16-1080 by Representative(s) Foote and Landgraf; also Senator(s) Cooke and Johnston, Newell--Concerning assault by strangulation, and, in connection therewith, making an appropriation.

(Amended in Special Orders as printed in Senate journal, April 29, page(s) 955.)

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

HB16-1172 by Representative(s) Saine and Primavera, Nordberg, Ryden; also Senator(s) Holbert and Neville T., Carroll, Jahn--Concerning the reestablishment of a standing efficiency and accountability committee by the state transportation commission, and, in connection therewith, expanding the membership and responsibilities of the committee, subjecting the committee to sunset review, requiring a committee member to disclose a personal or private interest that could be affected by a proposed committee recommendation and abstain from any committee vote to adopt or reject the recommendation, and making an appropriation.

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

HB16-1451 by Representative(s) Ryden and Rankin; also Senator(s) Scott and Heath--Concerning a requirement that the department of personnel create a procurement code working group to study ways to improve the state's "Procurement Code".

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

HB16-1393 by Representative(s) Esgar and Foote; also Senator(s) Cooke--Concerning procedures for ordered testing for communicable diseases.

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

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SB16-209 by Senator(s) Todd and Holbert; also Representative(s) Buckner and Priola--Concerning authorizing a school district board of education to construct a building for lease to a state institution of higher education.

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

HB16-1457 by Representative(s) Garnett and Wilson, Becker J., Carver, Coram, Esgar, Lawrence, Lundeen, Melton, Mitsch Bush, Moreno, Navarro, Neville P., Nordberg, Pabon, Pettersen, Primavera, Priola, Roupe, Williams; also Senator(s) Neville T. and Garcia, Cooke, Donovan, Grantham, Hodge, Holbert, Kefalas, Kerr, Merrifield, Scott, Sonnenberg, Steadman, Tate--Concerning a clarification of the existing sales and use tax exemption for residential energy sources.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1027, 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 Sonnenberg, the report of the Committee of the Whole was **adopted** on the following roll call vote:

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

The Committee of the Whole took the following action:

Passed on second reading: SB16-209, HB16-1097, HB16-1332, HB16-1080 as amended, HB16-1172, HB16-1451, HB16-1393, HB16-1457 as amended.

On motion of Majority Leader Scheffel, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB16-087, SB16-186, HB16-1348, HB16-1363, SB16-204, HB16-1453, SB16-199, SB16-001, HB16-1277, SB16-003, HB16-1427, HB16-1368, HB16-1394, HB16-1378, and SB16-211 were made Special Orders at 7:04 p.m.

Committee of the Whole The hour of 7:04 p.m. having arrived, Senator Sonnenberg moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Sonnenberg was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS

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

SB16-087 by Senator(s) Baumgardner; also Representative(s) Tyler--Concerning public utility fee funding for the highway-rail crossing signalization fund.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 29, page(s) 925, and placed in members' bill files.)

Amendment No. 2(L.003), by Senators Baumgardner, Cadman, Grantham, and Lambert.

Strike the Appropriations Committee Report, dated April 29, 2016, and substitute:

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

"SECTION 1. In Colorado Revised Statutes, 40-2-114, **amend** (1) as follows:

40-2-114. Disposition of fees collected. (1) (a) Three percent of the fees collected under section 40-2-113 by the department of revenue shall be remitted to the state treasurer and credited by the state treasurer ~~to the general fund~~ AS FOLLOWS:

(I) FOR THE 2016-17 FISCAL YEAR, THE FEES ARE CREDITED TO THE GENERAL FUND;

(II) FOR THE 2017-18 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER, THE LESSER OF ALL OF THE FEES OR AN AMOUNT OF THE FEES EQUAL TO TWO HUNDRED FORTY THOUSAND DOLLARS PLUS A CUMULATIVE INFLATION ADJUSTMENT OF TWO PERCENT FOR EACH FISCAL YEAR BEGINNING WITH THE 2017-18 FISCAL YEAR ARE CREDITED TO THE HIGHWAY-RAIL CROSSING SIGNALIZATION FUND CREATED IN SECTION 40-29-116 (1) AND ANY REMAINING FEES ARE CREDITED TO THE GENERAL FUND.

(b) For the remaining ninety-seven percent of the fees collected, the state treasurer shall credit:

(a) (I) Fees paid by public utilities that are telephone corporations to the telecommunications utility fund, which fund is hereby created; and

(b) (II) Fees paid by other public utilities to the public utilities commission fixed utility fund, which fund is hereby created.

SECTION 2. In Colorado Revised Statutes, 40-29-116, **amend** (2) as follows:

40-29-116. Highway-rail crossing signalization fund created - annual appropriation. (2) ~~Subject to annual appropriation by the general assembly;~~ FOR THE 2016-17 FISCAL YEAR, the sum of two hundred forty thousand dollars ~~shall be paid~~ IS APPROPRIATED from the ~~general fund and credited~~ HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201 (1) (a), C.R.S., TO THE HIGHWAY-RAIL CROSSING SIGNALIZATION FUND AS AUTHORIZED BY SECTION 43-4-201 (3) (a) (VI), C.R.S. PURSUANT TO SECTION 40-2-114 (1) (a) (II), FOR THE 2017-18 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER, THE LESSER OF THREE PERCENT OF THE FEES COLLECTED UNDER SECTION 40-2-113 OR AN AMOUNT OF THE FEES EQUAL TO TWO HUNDRED FORTY THOUSAND DOLLARS PLUS A CUMULATIVE INFLATION ADJUSTMENT OF TWO PERCENT FOR EACH FISCAL YEAR BEGINNING WITH THE 2017-18 FISCAL YEAR IS CREDITED TO THE HIGHWAY-RAIL CROSSING SIGNALIZATION FUND. Notwithstanding section 24-36-114 (1), C.R.S., any interest earned on the deposit and investment of moneys in the highway-rail crossing signalization fund shall remain in the fund and shall not be credited or transferred to the general fund or any other fund. Such earned interest moneys are hereby continuously appropriated to the public utilities commission for use for the purposes of the highway-rail crossing signalization fund.

SECTION 3. In Colorado Revised Statutes, 43-4-201, **add** (3) (a) (VI) as follows:

43-4-201. Highway users tax fund - created. (3) (a) (VI) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SECTION, SUBJECT TO THE LIMITATIONS SPECIFIED IN SECTION 40-29-116 (2), C.R.S., FOR THE 2016-17 FISCAL YEAR ONLY, THE GENERAL ASSEMBLY MAY MAKE AN APPROPRIATION FROM THE HIGHWAY USERS TAX FUND TO THE HIGHWAY-RAIL CROSSING SIGNALIZATION FUND CREATED IN SECTION 40-29-116 (1), C.R.S.

SECTION 4. Appropriation. (1) For the 2016-17 state fiscal year, \$240,000 cash funds is appropriated to the highway-rail crossing

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signalization fund created in section 40-29-116 (1), C.R.S. This appropriation is from the highway users tax fund created in section 43-4-201 (1) (a), C.R.S. The department of regulatory agencies is responsible for the accounting related to this appropriation.

(2) For the 2016-17 state fiscal year, \$240,000 is appropriated to the department of regulatory agencies for use by the public utilities commission. This appropriation is from reappropriated funds in the highway-rail crossing signalization fund under subsection (1) of this section. To implement this act, the commission may use the appropriation for operating expenses."

Page 1 of the bill, line 101, strike "PUBLIC UTILITY FEE".

Page 1 of the bill, line 102, strike "FUND." and substitute "FUND, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."."

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

SB16-186 by Senator(s) Tate; also Representative(s) Lontine--Concerning disclosure requirements to be applied to small-scale issue committees under Colorado law governing campaign finance.

(Amended in Special Orders as printed in Senate Journal, May 2, page(s) 994.)

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.)

HB16-1348 by Representative(s) Ryden; also Senator(s) Todd--Concerning a specific crime of cruelty to a certified police working dog.

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

HB16-1363 by Representative(s) Singer; also Senator(s) Newell and Tate--Concerning rule-making authority for medical marijuana advertising directed at underage persons.

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

SB16-204 by Senator(s) Lambert, Grantham, Steadman; also Representative(s) Rankin, Hamner, Young--Concerning the higher education revenue bond intercept program.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, May 3, page(s) 1002-1008, and placed in members' bill files.)

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

HB16-1453 by Representative(s) Hamner, Young, Rankin, Hulinghorst, Duran, Lee, Nordberg, Becker K., Carver, Foote, Joshi, Klingenschmitt, Landgraf, Lundeen, Melton, Pabon, Primavera, Priola, Rosenthal, Roupe, Ryden, Williams; also Senator(s) Lambert, Grantham, Steadman, Cadman, Scheffel, Guzman, Merrifield, Baumgardner, Carroll, Cooke, Crowder, Garcia, Heath, Hill, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, Lundberg, Marble, Martinez Humenik, Newell, Scott, Tate, Todd, Ulibarri, Woods--Concerning measures to enhance cybersecurity, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, May 3, page(s) 1008, and placed in members' bill files.)

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

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SB16-199 by Senator(s) Scott and Steadman; also Representative(s) DelGrosso and Ginal--
Concerning programs of all-inclusive care for the elderly, and, in connection therewith,
determining the capitated rate for services and creating an ombudsman for participants in
programs of all-inclusive care for the elderly.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 28, page(s) 935-937, and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1008, and placed in members' bill files.)

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

Amend the Health and Human Services Committee Report, dated April
28, 2016, page 3, line 23, strike ""FUND"" and substitute ""FUND",".

Page 3, line 25, strike "(3)" and substitute "(4)".

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

HB16-1277 by Representative(s) Lontine and Landgraf; also Senator(s) Kefalas and Roberts--
Concerning the appeal process for medical assistance benefits, and, in connection
therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 1, page(s) 1010, and placed in members' bill files.)

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

SB16-003 by Senator(s) Roberts and Jones, Baumgardner, Cooke, Merrifield; also Representative(s)
Becker K., Buck, Singer, Thurlow--Concerning increased authority to use broadcast
burning as an optional tool to reduce wildfire risk, and, in connection therewith, providing
additional funding for wildfire risk reduction efforts.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1010-1011, and placed in members' bill files.)

Amendment No. 2(L.004), by Senator Roberts.

Amend the Appropriations Committee Report, dated May 3, 2016, page
1, line 4, after "(1)" insert "and (4); and **add** (1.5) (c)".

Page 1, line 13, strike "and forest health issues." and substitute "**and**
forest health, **issues** AND COOPERATION WITH APPROPRIATE FEDERAL
AGENCIES AND LOCAL GOVERNMENTS."

Page 2, line 1, strike "~~committee.~~" and substitute "**committee.**"

(1.5) (c) (I) IN 2016, IN ADDITION TO ANY OTHER MATTERS IT
CONSIDERS, THE COMMITTEE SHALL CONSIDER POTENTIAL MARKETABLE
USES FOR HAZARDOUS FUELS IN FORESTS, INCLUDING BIOCHAR, ENERGY,
LIQUID FUEL, HEAT, WOOD WASTE PRODUCTS, AND COMBINED USES, FOR
THE PURPOSE OF MAINTAINING AND IMPROVING WATERSHED HEALTH,
FOREST HEALTH, JOB CREATION, IMPACTS ON CARBON EMISSIONS, AND
INNOVATION AND DETERMINING THE MOST ECONOMICALLY VIABLE,
VALUE-ADDED MEANS OF REMOVING WOODY MATERIALS, INCLUDING
THOSE THAT ARE USED IN TRADITIONAL WOOD PRODUCTS, FROM THE
FORESTS, INCLUDING A CONSIDERATION OF FEDERAL, STATE, AND LOCAL
GOVERNMENTAL EFFORTS IN USING WOODY MATERIALS; AN EXAMINATION
OF COSTS, INCLUDING TECHNOLOGY AND TRANSPORTATION, MARKETS,
AND THE AMOUNT OF WOODY MATERIAL USED FOR EACH POTENTIAL USE;
CONSIDERATION OF THE EFFECTS OF STRUCTURES AND A WARMER
CLIMATE ON FORESTS AND FIREFIGHTER SAFETY; AND AN UPDATED
REPORT PREPARED BY THE COLORADO STATE FOREST SERVICE

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CONCERNING THE ISSUES SPECIFIED BY SECTION 23-31-314, C.R.S., PRIOR TO ITS REPEAL ON JULY 1, 2012.

(II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2017.

(4) (a) ~~The committee shall select a chair and vice-chair from among its membership and~~ PRESIDENT OF THE SENATE SHALL APPOINT THE CHAIR OF THE COMMITTEE IN EVEN-NUMBERED YEARS AND THE VICE-CHAIR IN ODD-NUMBERED YEARS. THE SPEAKER OF THE HOUSE OF REPRESENTATIVE SHALL APPOINT THE CHAIR OF THE COMMITTEE IN ODD-NUMBERED YEARS AND THE VICE-CHAIR IN EVEN-NUMBERED YEARS.

(b) THE COMMITTEE SHALL prescribe its own rules of procedure."."

Amendment No. 3(L.005), by Senators Steadman and Grantham.

Amend the Appropriations Committee Report, dated May 3, 2016, page, 1, strike line 1 and substitute:

"Amend printed bill, page 2, strike lines 16 through 21 and substitute:

"(b) (I) ON JULY 1, 2016, THE STATE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE WILDFIRE RISK REDUCTION FUND THE SUM OF ONE MILLION DOLLARS."

Page 3 of the bill, strike lines 1 through 11."

Renumber succeeding section accordingly."

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

SB16-001 by Senator(s) Crowder, Cadman, Roberts, Scheffel, Sonnenberg, Baumgardner, Marble, Tate, Holbert, Lundberg, Martinez Humenik, Cooke, Woods, Grantham, Scott; also Representative(s) Landgraf--Concerning the expansion of the state income tax deduction for military retirement benefits.

Amendment No. 1, Finance Committee Amendment.

(Printed in Senate Journal, Feburary 1, page(s) 89, and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, May 3, page(s) 1009-1010, and placed in members' bill files.)

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.)

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

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.

(Printed in Senate Journal, May 3, page(s) 1022, and placed in members' bill files.)

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

HB16-1427 by Representative(s) Pabon; also Senator(s) Hill--Concerning exempting multi-serving liquid retail marijuana products from the sales equivalency limitation.

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

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HB16-1394 by Representative(s) Young; also Senator(s) Grantham--Concerning clarifying definitions related to at-risk persons.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1024, and placed in members' bill files.)

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

HB16-1378 by Representative(s) Ginal; also Senator(s) Crowder--Concerning requiring courts to collect money from DUI offenders for the purpose of reimbursing law enforcement agencies for the cost of performing chemical tests.

Amendment No. 1(L.008), by Senator Crowder.

Amend reengrossed bill, page 2, lines 23 and 24, strike "COSTS, IF THEY ARE INCLUDED BY THE COURT," and substitute "COSTS".

Amendment No. 2(L.009), by Senator Crowder.

Amend the reengrossed bill, page 2, line 10, strike "prosecution of the defendant," and substitute "SUCCESSFUL prosecution of the defendant FOR A VIOLATION OF SECTION 42-4-1301, C.R.S.,".

Page 2, line 20, strike "PROSECUTION OF THE DEFENDANT," and substitute "SUCCESSFUL PROSECUTION OF THE DEFENDANT FOR A VIOLATION OF SECTION 42-4-1301, C.R.S.,".

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

SB16-211 by Senator(s) Cadman and Scheffel; also Representative(s) Hullinghorst and Duran--Concerning contests to specified special district elections that are made on grounds relating to elector qualifications, and, in connection therewith, imposing a jurisdictional bar on contests of certain elections and validating the qualifications of certain actors when timely contests challenging those qualifications have not been filed.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1021, and placed in members' bill files.)

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB16-186 by Senator(s) Tate; also Representative(s) Lontine--Concerning disclosure requirements to be applied to small-scale issue committees under Colorado law governing campaign finance.

Senator Ulibarri moved to amend the Report of the Committee of the Whole to show that the following Ulibarri floor amendment, (L.001) to SB16-186, did pass.

Amend printed bill, page 7, after line 15 insert:

"(d) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (1.5), ANY SMALL-SCALE ISSUE COMMITTEE THAT ACCEPTS A CONTRIBUTION IN ANY AMOUNT FROM A CORPORATION DURING ANY APPLICABLE ELECTION CYCLE IS SUBJECT TO THE DISCLOSURE REQUIREMENTS SPECIFIED IN SUBPARAGRAPH (I) OR (II) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION AND THE REPORTING REQUIREMENTS SPECIFIED IN SUBSECTION (3.3) OR (6) OF THIS SECTION TO THE SAME EXTENT AS SUCH REQUIREMENTS ARE BINDING UPON AN ISSUE

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COMMITTEE THAT IS NOT A SMALL-SCALE ISSUE COMMITTEE THAT ACCEPTS ANY SUCH CONTRIBUTIONS."

Reletter succeeding paragraph 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	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	N
Baumgardner	N	Hill	N	Lundberg	N	Sonnenberg	N
Carroll	Y	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		

SB16-001

by Senator(s) Crowder, Cadman, Roberts, Scheffel, Sonnenberg, Baumgardner, Marble, Tate, Holbert, Lundberg, Martinez Humenik, Cooke, Woods, Grantham, Scott; also Representative(s) Landgraf--Concerning the expansion of the state income tax deduction for military retirement benefits.

Senator Garcia moved to amend the Report of the Committee of the Whole to show that the following amendment to SB16-001 did pass.

Amend printed bill, page 2, after line 1 insert:

"SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) Every American that served our county deserves fair treatment;

(b) Veterans with medical retirement are no different; and

(c) Those veterans should not have to wait until they are fifty-five years old to receive the benefits they have earned and are entitled to."

Renumber succeeding sections accordingly.

Amend Appropriations Committee Report, dated May 3, 2016, page 1, strike lines 5 through 9 and substitute:

~~"(f) (I) For income tax years commencing on or after January 1, 1989, TO THE EXTENT INCLUDED IN FEDERAL ADJUSTED GROSS INCOME OR AS ADDED IN PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION, amounts received as pensions or annuities from any source, by any individual who is fifty-five years of age or older at the close of the taxable year; to the extent included in federal adjusted gross income or as added in paragraph (c) of subsection (3) of this section; EXCEPT THAT THERE IS NO AGE REQUIREMENT IF THE PENSION OR ANNUITY IS AN AMOUNT PAID BY REASON OF THE INDIVIDUAL'S PERMANENT OR TEMPORARY DISABILITY RELATED TO HIS OR HER SERVICE IN THE UNIFORMED SERVICES OF THE UNITED STATES;";~~

Page 2, line 2, strike "STATES." and substitute "STATES, INCLUDING AMOUNTS PAID BY REASON OF AN INDIVIDUAL'S TEMPORARY OR PERMANENT DISABILITY RELATED TO HIS OR HER SERVICE IN THE UNIFORMED SERVICES OF THE UNITED STATES."

Page 2, line 30, strike "and" and substitute "and".

Page 2, line 31, strike "benefits." and substitute "benefits, AND AMOUNTS PAID BY REASON OF THE INDIVIDUAL'S TEMPORARY DISABILITY RELATED TO HIS OR HER SERVICE IN THE UNIFORMED SERVICES OF THE UNITED STATES."

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	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	*	Lambert	*	Scott	N
Baumgardner	N	Hill	N	Lundberg	N	Sonnenberg	N
Carroll	Y	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		

* Abstaining from voting under Senate Rule 17(c) -- Senators Lambert and Heath.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB16-087 as amended, SB16-186 as amended, SB16-204 as amended, SB16-199 as amended, SB16-003 as amended, SB16-001 as amended, SB16-211 as amended, HB16-1348, HB16-1363, HB16-1453 as amended, HB16-1277 as amended, HB16-1368 as amended, HB16-1427, HB16-1394 as amended, HB16-1378 as amended.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (HB16-1422) of Tuesday, May 3 was laid over until Wednesday, May 4, retaining its place on the calendar.

CONSIDERATION OF RESOLUTIONS

SJR16-034 by Senator(s) Lambert and Grantham; also Representative(s) Carver and Lawrence-- Concerning the designation of United States Highway 24 from Mile Marker 298 in Manitou Springs to Mile Marker 283 in Woodland Park as the "SPC Rob Lee Nichols Memorial Highway".

Laid over until Friday, May 6, retaining its place on the calendar.

HJR16-1022 by Representative(s) Hullinghorst and DelGrosso, Duran; also Senator(s) Cadman and Guzman, Scheffel--Establishing procedures for the confirmation of the Governor's appointment to fill a vacancy in the Office of the Lieutenant Governor.

On motion of Senator Guzman, 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, Carroll, Crowder, Donovan, Garcia, Grantham, Heath, Hodge, Jahn, Johnston, Jones, Kerr, Martinez Humenik, Merrifield, Newell, Roberts, Tate, and Todd.

SR16-004 by Senator(s) Scheffel, Guzman, Cadman--Concerning changes to Senate Rule 24A regarding the sponsorship of bills.

On motion of Senator Scheffel, the resolution was **adopted** by the following roll call vote:

YES	32	NO	3	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	N
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	N	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	N
Guzman	Y	Kerr	Y	Scheffel	Y		

Co-sponsor(s) added: Kerr.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of House Adherence Calendar (HB16-1183) of Tuesday, May 3 was laid over until Wednesday, May 4, retaining its place on the calendar.

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

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

MEMBER OF THE
BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

effective December 31, 2015, for a term expiring December 31, 2019:

Betty Cox Bechtel of Grand Junction, Colorado, a Democrat, reappointed.

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		

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Hill, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM

effective December 31, 2015, for terms expiring December 31, 2019:

Demetri E. "Rico" Munn of Denver, Colorado, to serve as a Democrat, reappointed;

William Eugene Mosher of Denver, Colorado, to serve as a Democrat, reappointed.

Senate in recess. Senate reconvened.

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	N
Baumgardner	Y	Hill	Y	Lundberg	N	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	Holbert	N	Martinez Humenik	Y	Tate	Y
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	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

MEMBER OF THE
BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM

for a term expiring December 31, 2016:

William Dean Singleton of Denver, Colorado, to serve as an Unaffiliated, and occasioned by the resignation of Dorothy Horrell of Wheat Ridge, Colorado, appointed.

YES	34	NO	1	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	N	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		

MEMBER OF THE
BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

effective December 31, 2015, for a term expiring December 31, 2019:

Joan D. Ringel of Denver, Colorado, a Democrat, reappointed.

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	N	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	N
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

MEMBER OF THE
BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

effective December 31, 2015, for a term expiring December 31, 2019:

Kelly Jean Brough of Denver, Colorado, a Democrat, appointed.

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	N	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	N	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB16-1014, 1171, 1225, 1232, 1356, 1367, 1375; HJR16-1018.

On motion of Majority Leader Scheffel, the Senate adjourned until 9:30 a.m., Wednesday, May 4, 2016.

Approved:

Bill L. Cadman
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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