

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

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24th Legislative Day Friday, February 5, 2016

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Prayer	By the chaplain, Reverend Carl Nelson, Village 7 Presbyterian Church, Colorado Springs.	11
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Call to Order	By the President at 9:00 a.m.	13
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Pledge	By Senator Cooke.	15
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Roll Call	Present--31	17
	Excused--4, Johnston, Lambert, Marble, Scott.	18
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Quorum	The President announced a quorum present.	20
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Reading of Journal	On motion of Senator Merrifield, reading of the Journal of Thursday, February 4, 2016, was dispensed with, and the Journal was approved as corrected by the Secretary.	22
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**COMMITTEE OF REFERENCE REPORTS**

Education	The Committee on <u>Education</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:	31
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**MEMBERS OF THE  
COLORADO COMMISSION ON HIGHER EDUCATION**

effective July 1, 2015, for terms expiring July 1, 2019:

Jeanette Autobee Garcia of Pueblo, Colorado, to serve as a representative of the Third Congressional District and as a Democrat, reappointed;

Monte Moses, Ph.D., of Englewood, Colorado, to serve as a representative of the Sixth Congressional District and as a Republican, reappointed;

Maia A. Babbs, CFA, of Golden, Colorado, to serve as a representative of the Second Congressional District and as an Unaffiliated, appointed.

Finance	After consideration on the merits, the Committee recommends that <b>SB16-060</b> be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	52
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Finance	After consideration on the merits, the Committee recommends that <b>SB16-069</b> be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	56
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Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that <b>SB16-055</b> be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	60
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Agriculture,  
Natural  
Resources, &  
Energy

After consideration on the merits, the Committee recommends that **SB16-068** be **referred** to the Committee of the Whole with favorable recommendation.

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**SENATE SERVICES REPORT**

**Correctly Engrossed:** SB16-029; SJR16-006.

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**MESSAGE FROM THE HOUSE**

February 4, 2016

Mr. President:

The House has adopted and returns herewith SJR16-006.

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

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

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**SB16-029**

by Senator(s) Scheffel and Heath; also Representative(s) Duran and Lawrence--Concerning changes to Colorado insurance laws necessary to maintain accreditation with the national association of insurance commissioners (NAIC), and, in connection therewith, adopting a new own risk and solvency assessment law (ORSA) in a form substantially similar to the NAIC model and enhancing Colorado's insurance holding company system law by adding a required NAIC model provision specifying the insurance commissioner's power to issue subpoenas and examine witnesses.

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

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YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	E	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	E	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	E	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		

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

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Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Grantham, Holbert, Lundberg, Martinez Humenik, Neville T., Newell, Tate, Todd, and Woods.

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

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

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

**SB16-012** by Senator(s) Heath; also Representative(s) Singer--Concerning the authority of a local assessor to grant additional time for a landowner to reconstruct residential improvements that were destroyed by a natural cause.

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

**SB16-008** by Senator(s) Crowder; --Concerning the use of an off-highway vehicle to cross state highways within the jurisdiction of a municipality.

Amendment No. 1, Local Government Committee Amendment.  
(Printed in Senate Journal, February 3, page(s) 123, and placed in members' bill files.)

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

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

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

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	E	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	E	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	E	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: SB16-012, SB16-008 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, Governor's appointments to the Colorado Lottery Commission, the Board of Commissioners of Veterans Community Living Centers, and the Department of Regulatory Agencies were made Special Orders -- Consent Calendar at 9:30 a.m.

Senate in recess. Senate reconvened.

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

The hour of 9:30 a.m. having arrived, on motion of Majority Leader Scheffel, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2019:

James Howard Davis of Westminster, Colorado, to serve as a representative of law enforcement and as a Republican, appointed.

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	E	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	E	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	E	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

MEMBERS OF THE BOARD OF COMMISSIONERS OF VETERANS COMMUNITY LIVING CENTERS

for a term expiring July 1, 2017:

Cheryl Ann Kruschke, Ed.D, MS, RN, CNE, of Wheat Ridge, Colorado, who has expertise in nursing home operations and who has experience in multi-facility management of nursing homes, and occasioned by the resignation of Mary Ann Terry, RN, BSN, of Aurora, Colorado, appointed;

for a term expiring July 1, 2019:

Anne Kerr Meier of Evergreen, Colorado, the state long-term care ombudsman, and occasioned by the resignation of Nancy Lee Ferrier of Wheat Ridge, Colorado, appointed.

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	E	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	E	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	E	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		

EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES

effective June 1, 2015, for a term expiring at the pleasure of the Governor:

Joseph Neguse of Broomfield, Colorado, and occasioned by the resignation of Barbara Kelley of Denver, Colorado, appointed.

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	E	Scott	E
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	E	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	E	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		

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

The President has signed: HJR16-1003, 1009.

Senate in recess. Senate reconvened.

**MESSAGE FROM THE HOUSE**

February 5, 2016

Mr. President:

The House has adopted and returns herewith SJM16-002.

**INTRODUCTION OF MEMORIALS**

The following memorial was read by title:

**SJM16-004** by Senator(s) Martinez Humenik, Todd, Tate, Newell; also Representative(s) Primavera, Lebsock--Concerning the reauthorization of the federal "Older Americans Act of 1965".

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

**INTRODUCTION OF RESOLUTIONS**

The following resolution was read by title:

**HJR16-1002** by Representative(s) Coram and Mitsch Bush; also Senator(s) Baumgardner, Roberts--Concerning timely access to federal lands for dam restoration projects.

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

**INTRODUCTION OF BILLS -- FIRST READING**

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

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

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**HB16-1012** by Representative(s) Ryden; also Senator(s) Scott--Concerning a requirement that a municipal clerk file a copy of each statement of election results with the division of local government in the department of local affairs rather than the secretary of state.  
Local Government

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**HB16-1073** by Representative(s) Duran and DelGrosso; also Senator(s) Guzman and Scheffel-- Concerning the qualifications of licensed electricians.  
Business, Labor, & Technology

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**HB16-1086** by Representative(s) Ryden and Nordberg, Saine; also Senator(s) Holbert, Jahn-- Concerning a modification of the dates on which the required performance audits of certain governmental entities are due.  
State, Veterans, & Military Affairs

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**HB16-1130** by Representative(s) Priola, Saine, Neville P., Wilson, Brown, Lawrence, Thurlow, Windholz; also Senator(s) Johnston--Concerning changes to annual reports prepared by the department of education.  
Education

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

The President has signed: SJR16-006.

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On motion of Majority Leader Scheffel, the Senate adjourned until 10:00 a.m., Monday, February 8, 2016.

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Approved:

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Bill L. Cadman  
President of the Senate

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Attest:

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Effie Ameen  
Secretary of the Senate

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