SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
First Regular Session

1st Legislative Day — Wednesday, January 11, 2017

Prayer — By the chaplain, Pastor David Almanzar, Cañon Community Baptist Church, Cañon City.

Presentation of Colors — By Colorado Air National Guard, Honor Guard, Buckley Air Force Base, Aurora. Master Sergeant Wolfram M. Stumpf, Tech Sergeant David Brown, Staff Sergeant Greg Johnson, and Senior Airman Matthew Thompson.

Pledge of Allegiance — By Pastor Carl Nelson, Colorado Springs.

Musical Presentation — By The Legacy Quartet, performing "The Star-Spangled Banner", "Battle Hymn of the Republic", and "God Bless America". Members appearing include James Baumgardner, Doug Filter, Norm Huxman, and Steve Taylor.

Call to Order — The hour of 10:00 a.m. having arrived, the Senate of the 71st General Assembly of the State of Colorado, pursuant to law, was called to order by Senator Bill L. Cadman, President of the Senate of the 70th General Assembly of the State of Colorado.

LETTER OF RESIGNATION

October 27, 2016

Ms. Effie Ameen
Secretary of the Colorado State Senate
Coloardo General Assembly, State Capitol
200 E. Colfax Avenue
Denver, CO 80203

RE: My resignation from the State Senator position for Senate District 6, effective December 31st, 2016

Dear Ms. Ameen:

As we have discussed previously, this letter is written to you as Secretary of the Colorado State Senate. I hereby tender my resignation as state senator for Senate District 6, as of December 31st, 2016.

It has been a great honor and privilege to serve in this capacity and I am very proud of the work that I've been able to accomplish for my district over the past 6 years. That said, it is time for me to make a change and I am confident that the 6th Senate Distrcit vacancy committee will provide the district with a very capable and strong Republican leader to complete my term.

Thank you for all of the great help you and your staff have provided to me while in the Colorado Senate.

Sincerely,
(signed)
Ellen S. Roberts

cc: Senate President Bill Cadman Colorado
Secretary of State Wayne Williams

COMMUNICATIONS FROM THE SECRETARY OF THE STATE

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Wayne W. Williams, Secretary of State, certify that the attached is a true and exact copy of the Nomination by Vacancy Committee as filed in this office on January 8, 2017 by the Republican 6th Senate District Vacancy Committee, appointing Donald L. Coram to fill the vacancy in the office of Colorado State Senate, District 6, caused by the resignation of the honorable Ellen S. Roberts.

In testimony whereof I have set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this tenth day of January 2017.

(signed)
Wayne W. Williams
Secretary of State

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Wayne W. Williams, Secretary of State, certify that the attached is a true and exact copy of the Acceptance of Nomination by Vacancy Committee as filed in this office on January 8, 2017 by Donald L. Coram, accepting the appointment of the Republican 6th Senate District Vacancy Committee to fill the vacancy in the office of Colorado State Senate, District 6, caused by the resignation of the honorable Ellen S. Roberts.

In testimony whereof I have set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this tenth day of January 2017.

(signed)
Wayne W. Williams
Secretary of State

Roll Call The roll call of the holdover Senators was called with the following result: Present -- Aguilar, Cooke, Donovan, Garcia, Grantham, Guzman, Holbert, Jahn, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Neville, Scott, Sonnenberg -- Total: 16.

COMMUNICATIONS FROM THE SECRETARY OF THE STATE (cont'd)

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Wayne W. Williams, Secretary of State of the State of Colorado, certify that I have canvassed the "Abstract of Votes Cast" submitted in the State of Colorado, and do state that, to the best of my knowledge and belief, the attached list represents the total votes cast for the members of the Colorado State Senate for the 71st General Assembly by the qualified electors of the State of Colorado in the November 8, 2016 General Election.

In testimony whereof I have set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this 12th day of December 2016.

(signed)
Wayne W. Williams
Secretary of State

Colorado General Election Results
November 8, 2016

State Senator - District 4

Counties: Douglas

	Vote totals	Percentage
Christina Maria Riegel (DEM)	27,779	30.61%
Jim Smallwood (REP)	**62,981**	**69.39%**

State Senator - District 8

Counties: Garfield, Grand, Jackson, Moffat, Rio Blanco, Routt, Summit

	Vote totals	Percentage
Randy L. Baumgardner (REP)	**39,526**	**54.85%**
Emily Tracy (DEM)	32,530	45.15%

State Senator - District 10

Counties: El Paso

	Vote totals	Percentage
Mark Anthony Barrionuevo (DEM)	24,430	33.81%
Owen Hill (REP)	**47,832**	**66.19%**

State Senator - District 12

Counties: El Paso

	Vote totals	Percentage
Bob Gardner (REP)	**45,938**	**75.30%**
Manuel Quintel (LIB)	15,071	24.70%

State Senator - District 14

Counties: Larimer

	Vote totals	Percentage
John Kefalas (DEM)	**52,902**	**61.67%**
Hans Hochheimer (REP)	32,886	38.33%

State Senator - District 17

Counties: Boulder

	Vote totals	Percentage
Matt Jones (DEM)	**57,649**	**100.00%**

State Senator - District 18

Counties: Boulder

	Vote totals	Percentage
Stephen Fenberg (DEM)	**67,799**	**79.61%**
M. Peter Spraitz (REP)	17,370	20.39%

State Senator - District 19

Counties: Jefferson

	Vote totals	Percentage
Laura J. Woods (REP)	37,592	45.97%
Rachel Zenzinger (DEM)	**39,070**	**47.78%**
Hans V. Romer (LIB)	5,112	6.25%

State Senator - District 21

Counties: Adams

	Vote totals	Percentage
Dominick Moreno (DEM)	**38,428**	**99.09%**
Kara Leach Palfy (REP) (Write-In)	352	0.91%

State Senator - District 23

Counties: Broomfield, Larimer, Weld

	Vote totals	Percentage
T.J. Cole (DEM)	40,281	42.04%
Vicki Marble (REP)	**55,528**	**57.96%**

State Senator - District 25

Counties: Adams

	Vote totals	Percentage
Jenise May (DEM)	27,678	47.93%
Kevin Priola (REP)	**30,074**	**52.07%**

State Senator - District 26

Counties: Arapahoe

	Vote totals	Percentage
Daniel Kagan (DEM)	**42,145**	**53.48%**
Nancy A. Doty (REP)	36,666	46.52%

State Senator - District 27

Counties: Arapahoe

	Vote totals	Percentage
Jack Tate (REP)	**44,169**	**53.44%**
Tom Sullivan (DEM)	38,489	46.56%

State Senator - District 28

Counties: Arapahoe

	Vote totals	Percentage
Nancy Todd (DEM)	**39,143**	**55.73%**
James Woodley (REP)	31,096	44.27%

State Senator - District 29

Counties: Arapahoe

	Vote totals	Percentage
Sebastian Chunn (REP)	22,503	39.34%
Rhonda Fields (DEM)	**30,998**	**54.19%**
Michele Poague (LIB)	3,698	6.47%

State Senator - District 31

Counties: Arapahoe, Denver

	Vote totals	Percentage
Bob Lane (REP)	25,268	30.42%
Lois Court (DEM)	**57,793**	**69.58%**

State Senator - District 33

Counties: Denver

	Vote totals	Percentage
Raymon Doane (REP)	12,564	18.05%
Angela Williams (DEM)	**57,049**	**81.95%**

State Senator - District 35

Counties: Alamosa, Baca, Bent, Conejos, Costilla, Crowley, Custer, Huerfano, Kiowa, Las Animas, Mineral, Otero, Prowers, Pueblo, Rio Grande, Saguache

	Vote totals	Percentage
Larry W. Crowder (REP)	**38,880**	**59.90%**
James W. "Jim" Casias (DEM)	23,358	35.99%
William Stuart Bartley (LIB)	2,668	4.11%

State of Colorado
Department of
State

United States of America, ss. Certificate
State of Colorado

I, Wayne W. Williams, Secretary of State of the State of Colorado, certify that I have canvassed the "Abstract of Votes Cast" submitted in the State of Colorado, and do state that, to the best of my knowledge and belief, the persons listed on the attached list were duly elected to the office of Colorado State Senate by the qualified electors of the State of Colorado in the November 8, 2016 General Election.

In testimony whereof I have set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this 12th day of December 2016.

(signed)
Wayne W. Williams
Secretary of State

Colorado General Election Results
November 8, 2016

State Senator - District 4

	Vote totals	Percentage
Jim Smallwood (REP) 9428 Mystic Ct. Parker, CO 80138	**62,981**	**69.39%**

State Senator - District 8

	Vote totals	Percentage
Randy L. Baumgardner (REP) 124 Ridgeway Ave. Hot Sulphur Springs, CO 80451	**39,526**	**54.85%**

State Senator - District 10

	Vote totals	Percentage
Owen Hill (REP) 212 E. Madison St. Colorado Springs, CO 80907	**47,832**	**66.19%**

State Senator - District 12

	Vote totals	Percentage
Bob Gardner (REP) 60 Mobray Ct. Colorado Springs, CO 80906	**45,938**	**75.30%**

State Senator - District 14

	Vote totals	Percentage
John Kefalas (DEM) 604 Sycamore St. Fort Collins, CO 80521	**52,902**	**61.67%**

State Senator - District 17

	Vote totals	Percentage
Matt Jones (DEM) 265 Dahlia Dr. Louisville, CO 80027	**57,649**	**100.00%**

State Senator - District 18

	Vote totals	Percentage
Stephen Fenberg (DEM) 1819 Walnut St. Boulder, CO 80302	**67,799**	**79.61%**

State Senator - District 19

	Vote totals	Percentage
Rachel Zenzinger (DEM) 7725 Marshall St. Arvada, CO 80003	**39,070**	**47.78%**

State Senator - District 21

	Vote totals	Percentage
Dominick Moreno (DEM) 5821 Tichy Blvd. Commerce City, CO 80022	**38,428**	**99.09%**

State Senator - District 23

	Vote totals	Percentage
Vicki Marble (REP) 600 Boulder Ave. Fort Collins, CO 80524	**55,528**	**57.96%**

State Senator - District 25

	Vote totals	Percentage
Kevin Priola (REP) 12255 Ursula St. Henderson, CO 80640	**30,074**	**52.07%**

State Senator - District 26

	Vote totals	Percentage
Daniel Kagan (DEM) 52 Cherry Hills Farm Dr. Cherry Hills Village, CO 80113	**42,145**	**53.48%**

State Senator - District 27

	Vote totals	Percentage
Jack Tate (REP) 16255 E. Aberdeen Ave. Centennial, CO 80016	**44,169**	**53.44%**

State Senator - District 28

	Vote totals	Percentage
Nancy Todd (DEM) 11293 E. Harvard Dr. Aurora, CO 80014	**39,143**	**55.73%**

State Senator - District 29

	Vote totals	Percentage
Rhonda Fields (DEM) 1196 Sable Blvd. Aurora, CO 80011	**30,998**	**54.19%**

State Senator - District 31

	Vote totals	Percentage
Lois Court (DEM) 780 Elizabeth St. Denver, CO 80206	**57,793**	**69.58%**

State Senator - District 33

	Vote totals	Percentage
Angela Williams (DEM) 8406 E 35th Ave Denver, CO 80238	**57,049**	**81.95%**

State Senator - District 35

	Vote totals	Percentage
Larry W. Crowder (REP) 777 N County Rd. 102 Alamosa, CO 81101	**38,880**	**59.90%**

Credentials Committee

On motion of Majority Leader Holbert, and with unanimous consent of the Senate, a committee of three was appointed by the President as the Committee on Credentials. The President appointed Senators Holbert, Chair, Scott, and Garcia as members of the Committee.

The President announced that the Senate would be in recess so that the Committee on Credentials could meet and prepare its report.

Senate in recess. Senate reconvened.

REPORT OF THE COMMITTEE ON CREDENTIALS

January 11, 2017

Mr. President:

Your committee on credentials, to which was referred the list of the members of the Senate for the 71st General Assembly of the State of Colorado, transmitted by the Secretary of State, begs leave to report that the persons named therein constitutes a true and correct list of the members as shown by the election certificate and records in the office of the Secretary of State, and your committee recommends that the list so furnished and read be adopted as the temporary roll call of the Senate of the 71st General Assembly of the State of Colorado.

(signed)
Majority Leader Holbert, Chair
Assistant Majority Leader Scott
Assistant Minority Leader Garcia

On motion of Majority Leader Holbert, the report of the Committee on Credentials was read and adopted by unanimous consent of the Senate.

On motion of Majority Leader Holbert, and with the unanimous consent of the Senate, the President appointed a committee composed of Senators Cooke, Marble, and Kagan to wait upon Chief Justice Nancy Rice of the Colorado Supreme Court and request her to administer the oath of office to the Senators-elect.

The President announced that the Senate would be in recess until the return of the Committee with the Chief Justice Rice.

Senate in recess. Senate reconvened.

Chief Sergeant-at-Arms Frank Lombardi announced the arrival of the Committee and Chief Justice Rice.

Oath of Office

The Chief Justice administered the Oath of Office to the Senators-elect.

Senate in recess. Senate reconvened.

Roll Call

The roll call of the Senators-elect was called with the following result:
Present: Baumgardner, Coram, Court, Crowder, Fenberg, Fields, Gardner, Hill, Jones, Kagan, Kefalas, Marble, Moreno, Priola, Smallwood, Tate, Todd, Williams, Zenzinger -- Total: 19.

Quorum

The President announced a Senate membership of 35 present, 0 absent, and 0 excused and that a quorum was present.

On motion of Majority Leader Holbert, and with the unanimous consent of the Senate, the temporary roll call of the Senate was made the permanent roll call of the Senate.

Election of President

On motion of Majority Leader Holbert and seconded by Minority Leader Guzman, Senator Kevin J. Grantham was nominated as President of the Senate.

Majority Leader Holbert moved that the nominations for President of the Senate be closed and that a unanimous vote be cast for Senator Kevin J. Grantham. The motion was adopted by a unanimous vote.

Election of President *pro tempore*

On motion of Majority Leader Holbert and seconded by Minority Leader Guzman, Senator Jerry Sonnenberg was nominated as President *pro tempore* of the Senate.

Majority Leader Holbert moved that the nominations for President *pro tempore* of the Senate be closed and that a unanimous vote be cast for Senator Jerry Sonnenberg. The motion was adopted by a unanimous vote.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SJR17-001 by Senator(s) Holbert, Grantham, Guzman; also Representative(s) Becker K., Duran, Neville P.--Concerning the adoption of the Joint Rules as the temporary Joint Rules of the Seventy-first General Assembly.

On motion of Majority Leader Holbert, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SR17-001 by Senator(s) Holbert, Grantham, Guzman; --Concerning the temporary Rules of the Senate.

On motion of Majority Leader Holbert, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Election of Secretary

On motion of Majority Leader Holbert, Effie Ameen was nominated to serve as Secretary of the Senate during the First Regular Session of the Seventy-first General Assembly. The motion was adopted by a unanimous vote.

Oath of Office

The President administered the oath of office to Effie Ameen as Secretary of the Senate.

On motion of Majority Leader Holbert, and with the unanimous consent of the Senate, the President appointed Senators Neville, Coram, and Fenberg as members of the committee to notify the House of Representatives that the Senate was organized and ready for business.

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

On motion of Majority Leader Holbert, and with the unanimous consent of the Senate, the President appointed Senators Tate, Sonnenberg, and Zenzinger as members of the committee to notify the Governor that the Senate was organized and ready for business.

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

Senate in recess. Senate reconvened.

COMMITTEE APPOINTMENTS

November 23, 2016

Mr. Mike Mauer
Director, Legislative Council
200 E Colfax Ave, Room 029
Denver, CO 80202

Dear Mr. Mauer,

Pursuant to Senate rules, the Majority Leader is responsible for determining the size of the Senate committees of reference and for appointing majority members to each of those committees.

For the Seventy-First General Assembly, the sizes of the Senate committees of reference shall be as follows:

Senate Business, Labor and Technology:
4 members of the majority and 3 members of the minority party

Senate Judiciary:
3 members of the majority and 2 members of the minority party

Senate State, Veterans and Military Affairs:
3 members of the majority and 2 members of the minority party

Senate Agriculture, Natural Resources and Energy:
6 members of the majority and 5 members of the minority party

Senate Education:
4 members of the majority and 3 members of the minority party

Senate Health and Human Services:
3 members of the majority and 2 members of the minority party

Senate Local Government:
3 members of the majority and 2 members of the minority party

Senate Transportation:
3 members of the majority and 2 members of the minority party

Senate Finance:
3 members of the majority and 2 members of the minority party

Senate Appropriations:
4 members of the majority and 3 members of the minority party

The members of the Senate Committees of reference for the majority party are as follows:

Senate Business, Labor and Technology
Senator Jack Tate, Chair
Senator Tim Neville, Vice Chair
Senator-elect Kevin Priola
Senator-elect Jim Smallwood

Senate Judiciary
Senator-elect Bob Gardner, Chair
Senator John Cooke, Vice Chair
Senate District 06 Vacancy*

Senate State, Veterans and Military Affairs
Senator Ray Scott, Chair
Senator Vicki Marble, Vice Chair
Senator Jerry Sonnenberg

Senate Agriculture, Natural Resources and Energy
Senator Jerry Sonnenberg, Chair
Senator Randy Baumgardner, Vice Chair
Senator John Cooke
Senator Vicki Marble
Senate District 06 Vacancy*
Senator Ray Scott

Senate Education
Senator Owen Hill, Chair
Senator-elect Kevin Priola, Vice Chair
Senator-elect Bob Gardner
Senator Tim Neville

Senate Health and Human Services
Senator-elect Jim Smallwood, Chair
Senator Beth Martinez Humenik, Vice Chair
Senator Larry Crowder

Senate Local Government
Senator Beth Martinez Humenik, Chair
Senator-elect Bob Gardner, Vice Chair
Senator Larry Crowder

Senate Transportation
Senator Randy Baumgardner, Chair
Senator John Cooke, Vice Chair
Senator Ray Scott

Senate Finance
Senator Tim Neville, Chair
Senator Owen Hill, Vice Chair
Senator Jack Tate

Senate Appropriations
Senator Kevin Lundberg, Chair
Senator Kent Lambert, Vice Chair
Senator-elect Bob Gardner
Senator Jerry Sonnenberg

* Senator Ellen Roberts has announced her resignation from the Senate effective December 31, 2016. The person selected by the Senate District 06 vacancy committee will fill those committee assignments.

Please let me know if you have any questions.

Respectfully yours,
(signed)
Chris Holbert
Senate Majority Leader

December 16, 2016

Mr. Mike Mauer
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

**********REVISED**********

As you know, Senate rules require that as the Minority Leader, I determine the minority party's appointments to the 2017 Legislative Committees of Reference. Below are the appointments.

	Majority	Minority	Committee Size
State Affairs	3	2	5
BLT	4	3	7
Judiciary	3	2	5
Education	4	3	7
HHS	3	2	5
Agriculture	6	5	11
Finance	3	2	5
Local Government	3	2	5
Transportation	3	2	5
Appropriations	4	3	7

Agriculture
Senator Kerry Donovan
Senator Matt Jones
Senator-elect Steve Fenberg
Senator Leroy Garcia
Senator-elect Rhonda Fields

Business, Labor and Technology
Senator Cheri Jahn
Senator Andy Kerr
Senator-elect Angela Williams

Education
Senator Nancy Todd
Senator Michael Merrifield
Senator-elect Rachel Zenzinger

Finance
Senator Andy Kerr
Senator-elect Lois Court

Appropriations
Senator-elect Dominick Moreno
Senator Leroy Garcia
Senator Andy Kerr

911 Oversight, Outage Reporting and Reliability
Senator Irene Aguilar

Behavioral Health Transformation Council
Senator John Kefalas

Health and Human Service
Senator Irene Aguilar
Senator John Kefalas

Judiciary
Senator-elect Daniel Kagan
Senator-elect Rhonda Fields

Local Government
Senator John Kefalas
Senator Kerry Donovan

State Affairs
Senator-elect Lois Court
Senator-elect Steve Fenberg

Transportation
Senator-elect Rachel Zenzinger
Senator Nancy Todd

Board of Ethics for the General Assembly
Senator Leroy Garcia

Capitol Development Committee
Senator John Kefalas

Capitol Building Advisory Committee
Senator Dominick Moreno

CDOT Efficiency and Accountability Committee
Senator Nancy Todd

Health Insurance Exchange Oversight Committee
Senator Irene Aguilar
Senator John Kefalas

Joint Budget Committee
Senator-elect Dominick Moreno

Legislative Audit Committee
Senator Cheri Jahn
Senator-elect Lois Court

School Safety and Youth in Crisis Committee
Senator-elect Rachel Zenzinger
Senator Andy Kerr

Substance Abuse Trend and Response Task Force
Senator Cheri Jahn

Tourism Office Board of Directors
Senator Leroy Garcia

Wildfire Matters Review Committee
Senator Matt Jones
Senator Michael Merrifield

Legislative Council
Senator Lucia Guzman
Senator Leroy Garcia
Senator Andy Kerr
Senator Matt Jones

Committee on Legal Services
Senator Lucia Guzman
Senator-elect Daniel Kagan

Early Childhood and School Readiness Sommittee
Senator Michael Merrifield

Higher Education Advisory Committee
Senator Nancy Todd

Joint Technology Committee
Senator-elect Angela Williams

Mental Illness in the Criminal Justice System
Senator Rhonda Fields

Statewide Internet Portal Authority
Senator Andy Kerr

Statutory Revision Committee
Senator Andy Kerr
Senator-elect Dominick Moreno

Water Resources Review Committee
Senator Matt Jones
Senator Kerry Donovan

Youth Advisory Council
Senator Andy Kerr

I am happy to answer any questions you may have.

Sincerely yours,
(signed)
Lucia Guzman
Senate Minority Leader

Cc: The Honorable Kevin Grantham, Senate President
The Honorable Chris Holbert, Senate Majority Leader
The Honorable Crisanta Duran, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Dan Cartin, Director of OLLS
Susan Liddle

January 5, 2017

Mr. Mike Mauer
Executive Director
Legislative Council
200 East Colfax Ave.
Denver, CO 80203

Dear Mr. Mauer,

Pursuant to C.R.S. § 2-3-301, I hereby appoint Senator Kevin Grantham, Senator Chris Holbert, Senator Jerry Sonnenberg, Senator Vicki Marble, and Senator Ray Scott to Legislative Council.

These appointments are effective immediately.

Sincerely,
(signed)
Kevin J. Grantham
Senate President-elect
Colorado Senate

Cc: The Honorable Chris Holbert, Senate Majority Leader
The Honorable Lucia Guzman, Senate Minority Leader
The Honorable Crisanta Duran, Speaker-designee of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
The Honorable Jerry Sonnenberg, Colorado Senate
The Honorable Vicki Marble, Colorado Senate
The Honorable Ray Scott, Colorado Senate
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Chief Clerk, House of Representatives
Mike Mauer, Legislative Council
Dan Cartin, Office of Legislative Legal Services

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January 5, 2017

Mr. Mike Mauer
Executive Director
Legislative Council
200 East Colfax Ave.
Denver, CO 80203

Dear Mr. Mauer,

Pursuant to C.R.S. § 2-3-101, I hereby appoint Senator Tim Neville and Senator-elect Jim Smallwood to the Legislative Audit Committee.

These appointments are effective immediately.

Sincerely,
(signed)
Kevin J. Grantham
Senate President-elect
Colorado Senate

Cc: The Honorable Chris Holbert, Senate Majority Leader
The Honorable Lucia Guzman, Senate Minority Leader
The Honorable Crisanta Duran, Speaker-designee of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
The Honorable Tim Neville, Colorado Senate
The Honorable Jim Smallwood, Colorado Senate
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Chief Clerk, House of Representatives
Mike Mauer, Legislative Council
Dan Cartin, Office of Legislative Legal Services

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January 4, 2017

Mr. Mike Mauer
Executive Director
Legislative Council
200 East Colfax Ave.
Denver, CO 80203

Dear Mr. Mauer,

Pursuant to C.R.S. 2-3-1702 I am appointing Senator-elect Bob Gardner, Senator Chris Holbert, and Senator John Cooke to the Committee on Legal Services.

These appointments are effective immediately.

Sincerely,
(signed)
Kevin J. Grantham
Senate President-elect
Colorado Senate

Cc: The Honorable Chris Holbert, Senate Majority Leader
The Honorable Lucia Guzman, Senate Minority Leader
The Honorable Crisanta Duran, Speaker-designee of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
The Honorable Bob Gardner, Colorado Senate
The Honorable John Cooke, Colorado Senate
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Chief Clerk, House of Representatives
Mike Mauer, Legislative Council
Dan Cartin, Office of Legislative Legal Services

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January 9, 2017

Mr. Mike Mauer
Executive Director
Legislative Council
200 East Colfax Ave.
Denver, CO 80203

Dear Mr. Mauer,

Pursuant to C.R.S. § 2-3-1302, I hereby appoint Senator Randy Baumgardner and Senator Jerry Sonnenberg to the Capitol Development Committee.

These appointments are effective immediately.

Sincerely,
(signed)
Kevin J. Grantham
Senate President-elect
Colorado Senate

Cc: The Honorable Chris Holbert, Senate Majority Leader
The Honorable Lucia Guzman, Senate Minority Leader
The Honorable Crisanta Duran, Speaker-designee of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
The Honorable Randy Baumgardner, Colorado Senate
The Honorable Jerry Sonnenberg, Colorado Senate
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Chief Clerk, House of Representatives
Mike Mauer, Legislative Council
Dan Cartin, Office of Legislative Legal Services

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November 29, 2016

Mr. Mike Mauer
Director, Legislative Council
200 E Colfax Ave, Room 029
Denver, CO 80202

Dear Mr. Mauer,

The Senate Majority Caucus hereby appoints Senators Kent Lambert and Kevin Lundberg to the Joint Budget Committee for the Seventy-First General Assembly. This appointment is effective immediately.

Respectfully yours,
(signed)
Chris Holbert
Senate Majority Leader

cc:The Honorable Chris Holbert, Senate Majority Leader
The Honorable Lucia Guzman, Senate Minority Leader
The Honorable Crisanta Duran, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
The Honorable Kent Lambert, Colorado Senate
The Honorable Kevin Lundberg, Colorado Senate
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Chief Clerk, House of Representatives
Mike Mauer, Legislative Council
Dan Cartin, Office of Legislative Legal Services

January 5, 2017

Mr. Mike Mauer
Executive Director
Legislative Council
200 East Colfax Ave.
Denver, CO 80203

Dear Mr. Mauer,

Pursuant to C.R.S. § 2-3-1702, I hereby appoint Senator Jack Tate and Senator Beth Martinez Humenik to the Joint Technology Committee. Senator Martinez Humenik will serve as chair.

These appointments are effective immediately.

Sincerely,
(signed)
Kevin J. Grantham
Senate President-elect
Colorado Senate

Cc: The Honorable Chris Holbert, Senate Majority Leader
The Honorable Lucia Guzman, Senate Minority Leader
The Honorable Crisanta Duran, Speaker-designee of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
The Honorable Jack Tate, Colorado Senate
The Honorable Beth Martinez Humenik, Colorado Senate
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Chief Clerk, House of Representatives
Mike Mauer, Legislative Council
Dan Cartin, Office of Legislative Legal Services

January 9, 2017

Ms. Effie Ameen
Secretary of the Senate
200 East Colfax Ave.
Denver, CO 80203

Dear Secretary Ameen,

Pursuant to Senate Rule 21(b), 1 hereby appoint President-elect Kevin Grantham and myself to serve on the Senate Services Committee.

Sincerely,
(signed)
Chris Holbert
Majority Leader
Colorado Senate

Cc: The Honorable Kevin Grantham, Senate President Elect
Marilyn Eddins, Chief Clerk, House of Representatives
Mike Mauer, Legislative Council
Dan Cartin, Office of Legislative Legal Services

November 23, 2016

Mr. Mike Mauer
Executive Director
Legislative Council
200 East Colfax Avenue
Denver, Colorado 80203

Dear Mr. Mauer,

Pursuant to C.R.S. § 2-3-901, I hereby appoint Senator Beth Martinez Humenik of Adams County, Colorado to the Statutory Revision Committee effective immediately.

Senator Beth Martinez Humenik replaces Senator Chris Holbert.

Sincerely,
(signed)
Bill L. Cadman
Senate President
Colorado Senate

Cc: The Honorable Chris Holbert, Senate Majority Leader
The Honorable Lucia Guzman, Senate Minority Leader
The Honorable Crisanta Duran, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
The Honorable Beth Martinez Humenik, Colorado Senate
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Chief Clerk, House of Representatives
Mike Mauer, Legislative Council
Dan Cartin, Office of Legislative Legal Services

December 6, 2016

Mr. Mike Mauer
Executive Director
Legislative Council
200 East Colfax Avenue
Denver, Colorado 80203

Dear Mr. Mauer:

The President-elect hereby creates a 5-member Select Committee on Energy and the Environment. Pursuant to Senate Rule 22(c) the President-elect appoints the following Senators:

Senator Ray Scott, chair
Senator John Cooke, vice chair
Senator-elect Kevin Priola

Pursuant to Senate Rule 22(c), the Minority Leader of the Senate shall appoint two members no later than December 30, 2016.

The Select Committee will hold at least three public hearings. The chair shall be responsible for establishing the agenda and the schedule for any meeting of the Select Committee.

The purpose of the Select Committee on Energy and the Environment is to hold hearings on a wide range of energy and environmental issues facing Colorado including: supporting energy jobs and revenues while also protecting the natural places that make Colorado special; the changing regulatory landscape; and pursuing an all-of-the-above approach to energy development in Colorado.

Sincerely,
(signed)
Kevin J. Grantham
Senate President-elect
Colorado Senate

Cc: The Honorable Chris Holbert, Senate Majority Leader
The Honorable Lucia Guzman, Senate Minority Leader
The Honorable Crisanta Duran, Speaker—designee of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
The Honorable Ray Scott, Colorado Senate
The Honorable John Cooke, Colorado Senate
The Honorable Kevin Priola, Colorado Senate
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Chief Clerk, House of Representatives
Mike Mauer, Legislative Council
Dan Cartin, Office of Legislative Legal Services

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December 7, 2016

Mr. Mike Mauer
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Mr. Mike Mauer:

Please be advised that, pursuant to Senate Rule 22(c), I am appointing Senator Lucia Guzman and Senator Matt Jones to serve on the Select Committee on Energy and the Environment effective immediately.

Sincerely,
(signed)
Lucia Guzman
Senate Minority Leader

Cc: The Honorable Kevin Grantham, Senate President
The Honorable Chris Holbert, Senate Majority Leader
The Honorable Crisanta Duran, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Dan Cartin, Director of OLLS
Susan Liddle

Senate in recess. Senate reconvened.

APPOINTMENTS TO STATUTORY COMMITTEES

Legislative Council

Pursuant to Section 2-3-301, C.R.S., the President and Minority Leader appointed President Grantham and Senators Holbert, Sonnenberg, Marble, Scott, Guzman, Garcia, Kerr, and Jones as members of the Legislative Council Committee.

Majority Leader Holbert moved that the appointments to the Legislative Council Committee be confirmed.

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

Legal Services

Pursuant to Section 2-3-502, C.R.S., the President and Minority Leader appointed Senators Gardner, Cooke, Holbert, Guzman, and Kagan as members of the Committee on Legal Services.

Majority Leader Holbert moved that the appointments to the Committee on Legal Services be confirmed.

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

Legislative Audit

Pursuant to Section 2-3-101, C.R.S., the President and Minority Leader appointed Senators Neville, Smallwood, Jahn, and Court as members of the Legislative Audit Committee.

Majority Leader Holbert moved that the appointments to the Legislative Audit Committee be confirmed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was declared **adopted**.

Capital Development

The President and Minority Leader appointed Senators Baumgardner, Sonnenberg, and Kefalas as members of the Capital Development Committee.

Majority Leader Holbert moved that the appointments to the Capital Development Committee be confirmed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was declared **adopted**.

On motion of Majority Leader Holbert, and with the unanimous consent of those elected to the Senate, the Senate stood in recess to hear the opening day remarks of Senate President Kevin J. Grantham and Senate Minority Leader Lucia Guzman.

The text of President Grantham's remarks follow.

Senate in recess.

We, the people of Colorado, with profound reverence for the Supreme Ruler of the Universe, in order to form a more independent and perfect government; establish justice; insure tranquillity; provide for the common defense; promote the general welfare and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the State of Colorado.

The preamble to the Constitution of the State of Colorado. Those words were penned by our State Founding Fathers just a little over 140 years ago. Those words laid the foundation for a Bill of Rights and Constitution that has governed this state ever since. While the document itself has undergone numerous changes and additions, these words remain untouched and untainted over that span of time.

Good words. Words that stand the test of time. And why wouldn't they? After all they closely resemble the preamble of our US Constitution, which also continues to stand the test of time.

On this day, prayers have been lifted, songs have been sung, pledges have been recited, and oaths have been uttered to honor the nation, the state, and the documents in which these words are found.

On this day, we also honor those among us without whom none of us could be here. For my part, I would first like to recognize and thank my wife, Caroline. Thank you for all of your tireless support of me all these years! Please welcome her and my children and grandchildren.

I would also like to recognize my parents, and all of my brothers, sisters, nephews and nieces who could make it here for this day.

Let’s also show our appreciation for our guests who made the ceremonies this morning very special for all of us: The Colorado National Guard Color Guard, my pastor, David Almanzar, Carl Nelson, and The Legacy Quartet with those stirring renditions of our National Anthem, Battle Hymn, and God Bless America. Thank you all.

Thank you also to President Cadman and Majority Leader Scheffel for your leadership, guidance, mentorship, and so much else. You both leave big shoes to fill and this institution is truly worse off in your absence. You will be sorely missed and we thank you both for your service to this great State.

And to you, Senator Guzman, and your entire leadership team, thank you for stepping up to take on the difficult task of leadership in this chamber. Your gentle spirit and smile are always a welcome respite from the partisan storms that we often encounter. Thank you, Senator.

Thank you, and welcome, to all of the Senators of the 71st General Assembly, all of the holdovers, the crossovers, the do-overs, our re-elected members and our two new members: Senators Fenberg and Smallwood.

And last but not least, will all of the spouses or significant others of our Senators please stand and remain standing. Thank you to each and every one of you for the sacrifices you make every day so that we can be here to serve this state and the people of Colorado. Thank you!

We the people!

Words that still ring with authority! That we still say with reverence! That still ring with the truth of what they represent! Words that acknowledge those who truly represent the power of this government. We the people. Not this legislature. Not the executive or judicial branches, but we the people.

The very first section and many of the subsequent sections of our Colorado Bill of Rights lays out this principle very plainly, that it is we the people.

'Section 1. Vestment of political power. All political power is vested in and derived from the people; all government, of right, originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.'

Section 2 says 'the people of this state have the sole and exclusive right of governing themselves, as a free, sovereign, and independent state…'

Section 3 guarantees 'All persons have certain natural, essential and inalienable rights…' including the right of 'defending their lives and liberties; of acquiring, possessing and protecting property…'

Section 4 guarantees the people the right to 'The free exercise and enjoyment of religious profession and worship, without discrimination, shall forever hereafter be guaranteed; and no person shall be denied any civil or political right, privilege or capacity, on account of his opinions concerning religion.'

Section 13 guarantees our right 'to keep and bear arms in defense of home, person and property'

These and so many of the other sections of our Bill of Rights pay homage to the truths for which the Founders of our state and our nation fought, but that we sometimes take for granted. Self-evident truths, the truth that all men are created equal, that they are endowed by their creator with certain unalienable rights like life, liberty, and the pursuit of happiness.

Rights of the people, by the people, for the people. Rights that preserve and protect the dignity and the supremacy of the individual in our uniquely wonderful system: this constitutional, representative, republican form of government. A government which derives its power from the people. It is that elevation of the uniqueness and dignity of the individual that results in foundational principles such as due process and the rule of law, private property rights, self-defense, freedom in the home and workplace, freedom from a government that must inject itself into the most minute recesses of our lives thru abusive rules and regulation.

It is to this end that we strive: to preserve and protect the God-given rights of the individual, the we in we the people, not to grant them, but to fight to ensure them. To fight on their behalf for things like:

- Relief from burdensome, complex taxes
- Relief from the oppressive regulatory burdens placed on the people and businesses of all sizes
- Working towards greater accountability for state agencies in their rule creation process
- Creating more opportunities for parental choice in education
- Equality in school funding
- Reprioritizing state budget obligations into truly core governmental functions
- Reaffirming our commitment to protect the taxpayer…the People… from the heavy hand of government reaching into their pockets for more money without their direct permission.

For many of these we may find common ground across the aisle. For others we may not. But that’s okay. There will be discussion. There will be dialogue.

We have already shown over the last two years that working together is not an impossibility. In 2015, we all came together--Republicans and Democrats, Senate and House--to send 367 pieces of legislation to the governor. In 2016, we again came together to send 387 bills to the governor for his signature. Not all bills will make it there, but the discussion continues, the dialogue goes on, and the republic survives.

We have demonstrated in a remarkable fashion our ability to work together on all those areas where we share common interests and goals. We can do it again!

Perhaps one of the most ominous issues facing us today that resonates with both sides of the aisle and to our constituents in all 35 Senate Districts is the problem of the deteriorating condition of our transportation infrastructure and funding to significantly address the problem. The problem is recognized by all. The need to address it is agreed to by all. How to address it remains a topic of discussion and debate. But that discussion is happening and continues to happen.

Our current road and highway infrastructure needs exceed $9 Billion including $3.5 Billion in shovel ready projects on the priority list awaiting funding. With such a significant number of projects waiting for us to act and with such a steep initial price tag to get them started, some creative solutions may be called for…but solutions that respect the priorities on both sides of the aisle and most importantly, the wishes and will of the Colorado taxpayer and voter.

Getting most of these projects underway in a timely manner will require the ability to leverage our revenue streams through Revenue Anticipation Notes, or Bonds. These will require consistent future revenue streams that can be committed to the repayment of the bonds. With the help of our Transportation Committee Chair, Senator Baumgardner (R-Hot Sulphur Springs), we are dedicated to working with the leadership and members of the House of Representatives to arrive at solutions that we can present to the voters of Colorado – solutions that will hold faith with the taxpayers of Colorado and their desire for accountability for their dollars. We must demonstrate to them that, if we are going to ask them for permission to go into debt to fund these projects, and if we are going to ask them for more out of their own pockets to fund these bond payments, then we must also demonstrate the commitment to reprioritize the dollars they've already entrusted to us by dedicating existing general fund money…if this is truly a priority. There are yet many details to work out but the potential is great this session for a truly bi-partisan solution to our roads and highway infrastructure funding.

This is not the only area in which we can find bipartisan solutions to a significant problem here in this state: the other is the problem of construction litigation reform and attainable housing.

Years ago, Colorado officials passed a law that makes it nearly impossible to afford new condos, townhomes, and other multi-family housing units. We in this 71st General Assembly have inherited this problem – and we must solve it.

Coloradans agree we must fix this problem and put petty politics behind us to do it. 14 local communities have already passed laws to fix this policy. These are democrats and republicans agreeing to make homeownership easier for our citizens. Speaker of the House Duran and I agree that the General Assembly needs to take the lead with a diverse group who all realize that home ownership is the path to the American dream, and we believe that the few, unreasonable, special interests who oppose the necessary changes will not be able to continue standing in the way of Coloradans who want to own their future by owning their home.

To this end, a diverse and bipartisan group of lawmakers – Senators Scott, Tate, Smallwood, Hill, and Williams, along with Representatives Wist and Garnett -- have taken upon themselves the great task of solving this problem. Again, through this bipartisan collaboration we will be able to solve a problem for all of Colorado.

In addition to these efforts we will also remain committed to reducing the regulatory and bureaucratic hurdles that inhibit business startups, expansions, and relocations. We will continue to work to slow the relentless production of new rules, which average 530 per year, 15,000 pages per year, over the last decade, rules that hamstring our small businesses across this state.

With this in mind, comes Senator Neville's (R-Littleton) Senate Bill 1, The Regulatory Relief Act of 2017 where we will seek to alleviate the fiscal impact of burdensome regulations on small business. Small businesses will be given a window of time to cure minor operational or administrative violations instead of being immediately issued a fine. The bill will further require the current stakeholder process for rulemaking to solicit input for small businesses on those proposed rules that have potential negative impact on them.

Also to this end, Senator Martinez-Humenik (R-Arvada) is introducing Senate Bill 2. This bill will simplify the rule review process for state agencies by eliminating DORA's scheduling authority and placing reviews on the standardized 3-year timeline. Ultimately, this legislation will simplify the bureaucracy and ensure timely review of the rules that beleaguer small businesses in all four corners of our state.

Other potential efficiencies in government are available to us in some of our larger agencies. In particular it is time for us to shed some of the dead weight of failed government policy. Senator Smallwood (R-Parker) will introduce Senate Bill 3 which will repeal the Colorado Health Care Exchange. This is long overdue.

To help improve access of our Medicaid recipients to their healthcare providers Senator Tate (R-Evergreen) will introduce Senate Bill 4. Current law prohibits Medicaid enrollees from seeing a provider of their choice because a provider cannot bill a Medicaid enrollee for services provided. This bill expands access to health care by permitting individuals enrolled in Medicaid to seek care at a provider that does not accept Medicaid. This enables individuals to bypass waiting periods, receive better quality care, and access specialty care providers.

In regard to the intersection of public safety, education, and our seccond amendment rights, Majority Leader Holbert (R-Parker) will be introducing Senate Bill 5. Rather than simply arm teachers and other staff, his bill will ask 'how much training is required?' Currently, POST certified law enforcement and private security personnel under contract with a school district or charter school may be armed. POST certification is extensive training, while no training is required for private security. How much training might our county sheriff's provide before district personnel may be armed on a school campus to protect our kids?

That's the question that Senator Holbert seeks to answer with Senate Bill 5.

And with Senator Cooke's (R-Greeley) Senate Bill 6 we will no longer have to tell our 18-20 year old veterans that even though we trust them enough to send them to war to defend us and possibly die for us, that we don't trust them enough to conceal carry in this state. Senate Bill 6 will fix this egregious error.

All of these ideas, all of these bills are concepts that we can come together on. All of these are problems that we can face together and offer the people of Colorado real solutions. Solutions that both sides of the aisle can share in. Solutions in which both sides can participate. Not for ourselves certainly, but for our bosses, our constituents, the citizens of Colorado, '…the People'.

We the people!

This is for whom we work. This is what brings all 35 of us together, all 100 of us together in this 71st General Assembly. We won't always agree, to pretend on this day that we are living that fairy tale does all of us here in this room, and outside of this room, a disservice. But we do agree on some things. Occasionally, we agree on many things! This year, maybe it will only be a few things, but my hope, is that those things that we can and will come together on are of such great import and significance that they will truly benefit all Coloradans. We the people.

These are attainable goals – together. If past performance is indicative of future success, then we already know what great things we can accomplish together. This is my reason for optimism, for hope, in the successes that lie before us in these 120 days.

'We the people' are counting on it! Now it's just time to roll up our sleeves and do it.

Thank you all and God Bless!"

President Grantham recognized Minority Leader Guzman to address the Senate.

Mr. President.

Mr. Majority Leader.

Mr. President Pro Tem.

Mr. Assistant Minority Leader.

Colleagues, Friends, and Family.

It is my honor to welcome you all to this chamber, this morning, as we open the 71st General Assembly.

Most of us electeds have had several years of experience serving in the Senate, but we are fortunate to welcome eleven newly sworn in members:

- Senator Don Coram
- Senator Lois Court
- Senator Stephen Fenberg
- Senator Rhonda Fields
- Senator Bob Gardner
- Senator Daniel Kagan
- Senator Dominick Moreno
- Senator Kevin Priola
- Senator Jim Smallwood
- Senator Angela Williams
- and Senator Rachel Zenzinger

Please join me in welcoming them to the State Senate.

When I began my work in the Senate, I entered in May 2010, in the last few months of the 67th General Assembly. That following January in 2011, I entered the 68th General Assembly, followed by the 69th, the 70th, and now the 71st General Assembly.

As I begin the last years of my Senate career, I cannot help but take a look back at how much our state has changed in six years. Colorado's population was estimated to be 5,029,324 then, and currently stands at 5,540,545, and growing each month. That's a 10 percent increase in six years.

Six years ago, our unemployment rate was 8.9%, according to the Bureau of Labor Statistics. As of November 2016, it had fallen to 3.2% -- among the lowest we have seen in years.
However, let us not forget that as we've seen unemployment drop in these six years, we have seen sharp increases in homelessness among our students, particularly in the Denver, Pueblo, and Mesa County areas.

Six years ago, there was no Colorado Water Plan. It was in 2013 that the Governor issued his Executive Order calling for the Water Conservation Board to create the state's first ever water plan. Coloradans from the north, to the south, to the east, to the west depend on this precious resource for everything from their farms to their cities. This living document will guide Colorado in protecting and preserving its water for years to come.

Six years ago, our state budget was $18.2 billion. Last year's budget was $27 billion.

A civil union was not part of the law six years ago. The legalization of retail marijuana had yet to be approved through Amendment 64. The only beer sold in grocery stores was the 3.2% kind.

In these six years, technology has quickly nudged us forward. Entrepreneurs are inspiring and creating new tools that are quickly changing our world. Six years ago, you could never have imagined ordering a car with just a touch on a screen. Who would have thought even six years ago, the 71st General Assembly would be discussing bills relating to the operation of self-driving vehicles.

In these six years, Colorado's blue collar workforce has gotten older. With that comes the need for young people to be trained and step into to fill these jobs. While visiting Pueblo Community College's welding program, I got to see how the school is showing Colorado's young people that you don't have to attend a four-year college and go into debt to get a good paying job. One welding student I met, 18-year-old Brett Salazar, will graduate in two years with the skills he needs to succeed, and thanks to the program, will enter into a good-paying job at Vestas in Pueblo. Brett's success shows how important trade schools and community colleges are to training young people to replenish our retiring workforce.

We must also be mindful about how advancements in technology like automation are rapidly changing what jobs need to be filled. Trade schools and community colleges will be important to bridging the gap with the manufacturing world to ensure the "new collar" jobs of tomorrow can be filled with skilled workers.

Agriculture has changed as well. Thanks to Amendment 64's passage in 2012, farmers in Colorado now grow hemp as a cash crop, with demand growing for its use in making things like paper and clothes. And I know many of you in this chamber have sampled some of Colorado's renowned craft beers. Not only are we ranked third nationwide in craft beer production, but thanks to Colorado farmers, our country is now the world's leading producer of hops, surpassing Germany! One thing that has not changed in farming is the dependence upon the weather.

Today, six years later, I am honored to have been chosen by my colleagues to lead the Senate Democratic Caucus, and honored to work with President Grantham and the Senate Republicans to address the many needs and challenges facing our state.

And those challenges are many.

We have been elected to respond to these challenges, and Coloradans expect nothing less from us. We can no longer neglect the need to fund our crumbling infrastructure, nor fail to address the funding needed to repair and build roads and bridges. The American Road and Transportation Builders Association found 521 of Colorado's bridges to be structurally deficient -- meaning key elements of the structure are considered to be in poor or worse condition! That's over 500 bridges Colorado families drive on that are falling apart. As our population has grown over these past years, we have seen traffic congestion get worse, and our roads fall into further disrepair with more potholes. The people of Colorado should be able to drive their kids to school and drive to work on safe and reliable roads and bridges. Dollars for transportation means putting people back to work in good paying jobs, and making travel safer.

But we cannot accomplish these feats through proposals that would cut deeply into our already underfunded classrooms, and vital services Coloradans depend upon.

Therefore, I urge us to also consider the option of moving the Hospital Provider Fee into an enterprise fund. As you all know, last year every major newspaper editorial board, business chambers of commerce, and rural groups in Colorado came out publicly in support of moving the Hospital Provider Fee into an enterprise fund. This solution was at our fingertips last year, but partisan lines kept us from getting it done.

Moving the Hospital Provider Fee into an enterprise, in fact, honors the voters' intent on TABOR, and would not alter the TABOR cap or raise taxes. It would simply isolate the fee, and remove it from the general fund where it was improperly co-mingled in the first place.

As you know, in the Governor's current proposed budget, we see a $195 million reduction in hospital provider fee collections. That's $195 million lost in matching federal dollars to hospitals.

Hospitals in rural parts of our state hugely benefit from the federal supplemental money from the hospital provider fee. Last year, rural hospitals paid $45,096,427 in Hospital Provider Fee funds, and actually received $147,542,829 in supplemental federal dollars. These hospitals not only care for so many hardworking families and their children, but they create jobs across the state, allowing hardworking families to stay in the communities they love and call home.

Members: We are not in a position to pick winners and losers by trading the health of our working families for the health of our roads. We can, and should prioritize both, and we have a solution to do that. But we had that solution last year, too. If not this solution, then what? Senate Democrats are willing to listen, but we need to get something done.

Let me remind you, every year, we hear that our legislative session accomplished little. The University of Denver put out a special report on the role and scope and expectations of the state legislature, which implies that there is a belief lawmakers don't know or understand how to work in a bipartisan way to get things done for the people of Colorado. This year, let's work out solutions so we don't have to choose between the health of our working families and the health of our roads.

For our side of the aisle, a major priority will be protecting the progress Colorado has made in being at the forefront of the new energy economy. We have been extremely fortunate to be a nationwide leader on energy issues. This is in part due to the leadership and vision of our state and nationally elected officials, including U.S. Senators Michael Bennet and Cory Gardner, who supported the federal tax credit for wind and solar, making them a viable option in a competitive market. Our utility companies are taking advantage of these opportunities, and I want to give a shout out to some of these companies, including Tri-State and Xcel Energy, who have invested in renewable energy in ways that benefits our environment, communities, and Colorado's economy. Not only are renewables like wind and solar cleaner, but they are cheaper to produce and more efficient.

Companies like Xcel and Tri-State have shown that being profitable companies and being good stewards of the environment absolutely go hand in hand. Let me give you another example.

It would take looking back further than just 6 years to understand and appreciate Colorado's mining history. While there are challenges facing mining industries, Colorado's economy continues to be enhanced by some important mining operations today. I was fortunate and delighted to visit the Climax mine in Leadville recently. The mine began its operations in 1918. Its molybdenum is used mainly in steel alloys, and early operations produced the metal for armored battle vehicles in both World Wars.

Climax is an economic giant in the High Country. Summit and Lake Counties have received millions of dollars in tax revenue from Climax since 2012.

The continuing legacy of excellence in environmental stewardship by Climax was celebrated in August, 2014 with the unveiling of their $200 million dollar water treatment plant. The treated water is discharged into Ten Mile Creek, which flows into local fisheries and recreation areas. They are at the forefront of water treatment in the national and international mining industry -- proving that mining and care of the environment can stand together.
The Climax mine has completed several multi-million dollar environmental restoration projects where land that was previously affected by mining and mineral processing operations have been restored to a condition that mimics the pre-operations habitat, vegetation, and wildlife ecology.

I have invited Dr. Gail Mizner, and her husband, the President of Climax Mine, Michael Kendrick, to be with us today to accept our appreciation. Michael Kendrick is a graduate of the Colorado School of Mines and Denver University, and has shown through the work Climax mine has done, and continues to do, that industry and the environment can work closely together.

Please join me in thanking him for his service to the management of the mine, and for being one of Colorado's finest employers. Michael, please stand.

One of our most important goals is keeping Colorado at the forefront of the new energy economy, as it has been for well over a decade since the passage of Colorado's very own renewable energy standard in 2004. We will support efforts at the state and local levels to conserve our natural environment, and address the economic benefits of wind, solar, and energy efficiency. I would add that there are now more than 62,000 clean energy jobs in Colorado. With the establishment of our Deputy Minority Leader for Conservation, Clean Energy, and Climate Change, we aim to work closely with representatives of all energy industries so we can find bipartisan solutions to the challenges facing Colorado's energy future. We want to be clear: our intention is not to demote oil and gas, but to promote a formidable renewable energy portfolio, and a sustainable, clean natural environment.

That's why we, like the vast majority of Coloradans, will continue to hold strong in defending our public lands and ensuring they stay public. Coloradans value these lands as they are part of our heritage and the very soul of our state, and we will not step away from embracing this value.

Our lands are not for sale. Not even to the highest bidder.

Now, I would like to point to another priority Senate Democrats are taking the lead on, and that is addressing the heroin and opioid epidemic, which is not only affecting our present, but our future as well. In this chamber, there's a good chance the vast majority of you know someone close to you, or in your community, who is battling addiction. In our state, as well as in our entire country, opioid abuse is a serious problem.

The abuse of opioids like heroin, morphine, and prescription pain relieving drugs has been singled out by the Center for Disease Control as one of the top epidemics facing our country. Our state's health department found that overdose deaths from just one kind of opioid painkiller outnumbered all homicides in Colorado in 2015. 259 people died from overdoses of what health officials call "natural" prescription opioids — drugs like hydrocodone and oxycodone. That compares with 205 people who died from homicide.

We are particularly seeing this problem in Southern Colorado. Southern Colorado is home to only 6% of the state's population. Meanwhile however, the region represented 18.1% of heroin treatment admissions in 2014. This is a problem that hurts young people, and tears apart communities. That's why, under the lead of the Assistant Minority Leader, Senate Democrats will be introducing a bill to create a pilot program for Routt and Pueblo counties, two areas experiencing particularly high opioid addiction, to make access to life-saving treatment and care more accessible to those struggling with addiction.

All across this great state of Colorado, there are many challenges. We hear about them, we read about them, and sometimes we experience them firsthand.

Towns losing jobs and people because a mine shuts down or closes.

A farmer's crop is lost because a flooding creek erodes the land, and takes away the floodgate.

A rural school lacks science and math teachers.

A family grieves the early death of a child killed by a drunk driver.

Families lack healthcare, and are not able to afford the costs of keeping their families on quality health insurance.

But in Colorado, there are many resources to fight the challenges. 35 of them are sitting in this chamber. Some of a community's greatest assets are its leaders. Leader who listen, who hear the cries of their people or their land. You all are those resources, and I am proud to serve with you.

I started this speech by looking back, and I want to end it by looking back a little further than six years ago.

The class of 1964. That's my graduating high school class. 43 of us spent 12 years together. Some are gone now. Royce was the first to leave us soon after graduation. He died in the Vietnam War, fighting for his county. Then came Donnie, the second one to leave us. Donnie had polio, and was born with a cleft palate. He was our class clown. He would catch bullfrogs from the creek and hide them in our English teacher's desk. One day, Donnie told his wife, Margaret, another member of our class, that as he looked back on his 24 years, he saw no reason to keep living. He said he had nothing more to give. Then Donnie took his life with his wife helplessly watching.

A few weeks ago, as we were traveling to Taos for Christmas, I received a message from the daughter of one of my best friends, Mary Ellen. Mary Ellen was at home, moving towards her last hours of life. Her daughter said "She wants to hear your voice." I called Mary Ellen, and I talked about the stuff we did 52 years ago. Looking back to those times, her daughter said, made Mary Ellen smile, though she could no longer speak.

I wondered later, as I walked through the snow, why am I still here? Then it came to me. The Class of '64 gave the world farmers, ranchers, bankers, teachers, preachers, butchers, welders, football coaches, nurses, morticians, town pharmacists, and one State Senator.

I really don't know why I am still here, but I do know this: Royce, Donnie, and Mary Ellen. I live on and work on for them, and their children, and their children's children.

I think that's what each of us is doing here. Working on, going on, for the people of Colorado, and their children, and their children's children.

Senate reconvened.

On motion of Majority Leader Holbert, and with the unanimous consent of those elected to the Senate, the remarks of President Grantham and Minority Leader Guzman were ordered spread upon the pages of the journal.

MESSAGE FROM THE HOUSE

January 11, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1001.
Pursuant to the resolution, the Speaker has appointed Representatives McLachlan, Chairman, Exum and Navarro

The House has adopted and transmits herewith HJR17-1002.
Pursuant to the resolution, the Speaker has appointed Representatives Kennedy, Chairman, Benavidez and Wist

The House has adopted and returns herewith SJR17-001.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR17-1001 by Representative(s) Becker K., Duran, Neville P.; also Senator(s) Holbert, Grantham, Guzman--Concerning a Joint Session of the House of Representatives and the Senate for the purpose of hearing a message from His Excellency, Governor John Hickenlooper, and appointing a committee to escort the Governor.

On motion of Majority Leader Holbert, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Pursuant to the resolution, the President appointed Senators Priola and Jones to escort the Governor to the State of the State address.

HJR17-1002 by Representative(s) Becker K., Duran, Neville P.; also Senator(s) Holbert, Grantham, Guzman--Concerning a Joint Session of the House of Representatives and the Senate for the purpose of hearing a message from the Chief Justice of the Supreme Court, and appointing a committee to escort the Chief Justice.

On motion of Majority Leader Holbert, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Pursuant to the resolution, the President appointed Senators Gardner and Guzman to escort the Chief Justice to the State of the Judiciary address.

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR17-002 by Senator(s) Baumgardner and Merrifield, Cooke, Jones; also Representative(s) Singer and Thurlow, Hamner--Concerning the Colorado general assembly's support for the continued research, development, and application of biochar from our forests.
Laid over until Tuesday, January 17, retaining its place on the calendar.

SJR17-003 by Senator(s) Holbert, Grantham, Guzman; also Representative(s) Buckner, Esgar, Saine, McKean--Concerning the officers and employees of the First Regular Session of the Seventy-first General Assembly.
Laid over one day under Senate Rule 30(b).

SR17-002 by Senator(s) Holbert, Grantham, Guzman; --Concerning the appointment of officers and employees for the Senate convened in the First Regular Session of the Seventy-first General Assembly.
Laid over one day under Senate Rule 30(c).

INTRODUCTION OF MEMORIALS

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

SJM17-001 by Senator(s) Jones and Merrifield; also Representative(s) Hamner and Thurlow--Concerning the need for Congress to fund catastrophic wildfire response costs outside of federal forest management agencies' normal budgets.
Agriculture, Natural Resources, & Energy

INTRODUCTION OF BILLS -- FIRST READING

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

SB17-001 by Senator(s) Neville T., Cooke, Crowder, Gardner, Grantham, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Smallwood, Sonnenberg; also Representative(s) Neville P.--Concerning methods to alleviate the fiscal impact of state regulations on small businesses, and, in connection therewith, enacting the "Regulatory Relief Act of 2017".
Business, Labor, & Technology

SB17-002 by Senator(s) Martinez Humenik, Grantham; --Concerning the compulsory review of rules by each principal department, and, in connection therewith, establishing a triennial basis for each review to be conducted.
Business, Labor, & Technology

SB17-003 by Senator(s) Smallwood; also Representative(s) Neville P.--Concerning the repeal of the "Colorado Health Benefit Exchange Act".
Finance

SB17-004 by Senator(s) Tate; also Representative(s) Wist--Concerning access by medicaid recipients to nonenrolled medical providers.
Health & Human Services

SB17-005 by Senator(s) Holbert; also Representative(s) Neville P.--Concerning handgun safety training courses for school employees, and, in connection therewith, permitting certain school employees to carry concealed handguns in public schools.
State, Veterans, & Military Affairs

SB17-006 by Senator(s) Cooke, Holbert, Sonnenberg; also Representative(s) Nordberg--Concerning allowing certain military personnel who are less than twenty-one years of age to obtain a permit to carry a concealed handgun.
Judiciary

SB17-007 by Senator(s) Marble, Grantham, Holbert, Neville T., Sonnenberg; also Representative(s) Saine and Humphrey--Concerning the repeal of certain provisions concerning ammunition magazines.
State, Veterans, & Military Affairs

SB17-008 by Senator(s) Hill; also Representative(s) Lebsock--Concerning legalizing certain knives.
Judiciary

SB17-009 by Senator(s) Crowder; --Concerning an increase in the per-schedule exemption of business personal property.
Finance

SB17-010 by Senator(s) Kagan; --Concerning the identification of habitual criminals for sentencing purposes.
Judiciary

SB17-011 by Senator(s) Lambert, Lundberg; also Representative(s) Lawrence, Hamner, Rankin, Young--Concerning the creation of a technical demonstration forum to study solutions to improve transportation access for people with disabilities.
Health & Human Services

SB17-012 by Senator(s) Martinez Humenik; also Representative(s) Lee, Singer--Concerning competency restoration services for defendants deemed incompetent to proceed.
Judiciary

SB17-013 by Senator(s) Jones; also Representative(s) Danielson and Van Winkle, Ginal, Lontine, Melton, Salazar--Concerning authorization of the board of directors of the fire and police pension association to develop a multi-employer deferred compensation plan document.
Finance

SB17-014 by Senator(s) Baumgardner; also Representative(s) Coram and Becker J.--Concerning a prohibition against the imposition of inspection requirements for underground petroleum storage tanks or the charging of inspection fees for the inspection of underground petroleum storage tanks by a local government.
Transportation

SB17-015 by Senator(s) Aguilar; also Representative(s) Pabon--Concerning the unlawful advertising of marijuana.
Judiciary

SB17-016 by Senator(s) Neville T. and Jahn; also Representative(s) Nordberg--Concerning the optional creation of a child protection team by a county.
Health & Human Services

SB17-017 by Senator(s) Aguilar; also Representative(s) Singer--Concerning adding stress disorders to the list of debilitating medical conditions for the purposes of the use of medical marijuana.
State, Veterans, & Military Affairs

SB17-018 by Senator(s) Moreno, Kerr, Tate; also Representative(s) Arndt, Thurlow--Concerning a correction to an amending clause in Senate Bill 16-146 related to the repeal of part 14 of article 4 of title 25.
State, Veterans, & Military Affairs

SB17-019 by Senator(s) Martinez Humenik; also Representative(s) Singer--Concerning increasing medication consistency for persons with mental illness in the criminal and juvenile justice systems.
Judiciary

SB17-020 by Senator(s) Cooke; also Representative(s) Melton and Ginal--Concerning the establishment of a uniform approval standard for fire and police pension association statewide plan elections.
Finance

SB17-021 by Senator(s) Martinez Humenik; also Representative(s) Singer--Concerning reentry services for persons with mental illness in the criminal justice system, and, in connection therewith, making an appropriation.
Judiciary

SB17-022 by Senator(s) Donovan; --Concerning the coordination of economic assistance for rural communities experiencing certain significant economic events that have led to substantial job loss in those communities, and, in connection therewith, authorizing the department of local affairs to coordinate nonmonetary assistance and award grant money to assist rural communities with job creation or retention.
Finance

SB17-023 by Senator(s) Gardner; --Concerning the "Revised Uniform Athlete Agents Act (2015)".
State, Veterans, & Military Affairs

SB17-024 by Senator(s) Fields; also Representative(s) Young--Concerning the hearsay exception for persons with an intellectual and developmental disability when a defendant is charged with a crime against an at-risk person.
Judiciary

SB17-025 by Senator(s) Holbert and Baumgardner; also Representative(s) Singer--Concerning the development of marijuana education materials.
Business, Labor, & Technology

SB17-026 by Senator(s) Sonnenberg; also Representative(s) Arndt--Concerning requirements governing implementation of the state engineer's functions, and, in connection therewith, restructuring the fee that the state engineer may charge for rating certain types of water infrastructure, repealing certain requirements, and updating language in the statutes regarding the division of water resources.
Agriculture, Natural Resources, & Energy

SB17-027 by Senator(s) Court; also Representative(s) Melton--Concerning an increase in the penalty for text messaging while operating a motor vehicle.
State, Veterans, & Military Affairs

SB17-028 by Senator(s) Gardner; also Representative(s) Nordberg--Concerning the promotion of healthy families through the sharing of information related to investigations of child abuse or neglect between departments of human services and military installations when a person affiliated with the military installation is involved with the investigation.
Health & Human Services

SB17-029 by Senator(s) Kerr; also Representative(s) Pettersen--Concerning increasing the funding for preschool through twelfth grade public education, and, in connection therewith, increasing the funding for full-day kindergarten and requiring the secretary of state to submit a ballot question to authorize the state to retain and spend for preschool through twelfth grade public education any state revenues above the excess state revenues cap approved by the voters in 2005.
State, Veterans, & Military Affairs

SB17-030 by Senator(s) Baumgardner, Moreno, Sonnenberg; --Concerning the exemption from the schedules of controlled substances any anabolic steroid that is administered through injection into nonhuman species.
Agriculture, Natural Resources, & Energy

SB17-031 by Senator(s) Tate, Kerr, Moreno; also Representative(s) Arndt, Thurlow--Concerning the scheduled repeal of reports by the department of corrections to the general assembly.
Judiciary

SB17-032 by Senator(s) Merrifield; --Concerning a change to how certain qualified persons may gain access to the prescription drug monitoring program.
Judiciary

SB17-033 by Senator(s) Aguilar; also Representative(s) Lawrence--Concerning the authority of a professional nurse to delegate dispensing authority for over-the-counter medications.
Health & Human Services
Business, Labor, & Technology

SB17-034 by Senator(s) Jones and Lundberg, Kefalas; also Representative(s) Foote and McKean--Concerning extension of the period following the declaration by the governor of a disaster emergency in a county within which the board of county commissioners of the county may transfer county general fund money to the county road and bridge fund for the purposes of disaster response and recovery.
Local Government

SB17-035 by Senator(s) Sonnenberg; --Concerning tampering with equipment associated with oil and gas gathering operations.
Agriculture, Natural Resources, & Energy

SB17-036 by Senator(s) Scott; also Representative(s) Arndt and Becker J.--Concerning the appellate process governing a district court's review of final agency actions concerning groundwater.
Agriculture, Natural Resources, & Energy

SB17-037 by Senator(s) Fenberg; --Concerning data-gathering at voter service and polling centers in certain counties during each general election.
State, Veterans, & Military Affairs

SB17-038 by Senator(s) Todd; --Concerning the regulation of home inspectors.
State, Veterans, & Military Affairs

SB17-039 by Senator(s) Lundberg, Holbert, Lambert, Marble, Neville T.; --Concerning the creation of income tax credits for nonpublic education.
Finance

SB17-040 by Senator(s) Kefalas, Gardner; also Representative(s) Pabon--Concerning public access to files maintained by governmental bodies.
State, Veterans, & Military Affairs

SB17-041 by Senator(s) Priola, Holbert; also Representative(s) Hooton and Willett, Thurlow, Pabon, Herod--Concerning employment contracts for certain positions at institutions of higher education.
Education

SB17-042 by Senator(s) Guzman and Donovan; --Concerning the repeal of existing restrictions on the ability of a local government to provide certain electronic communications services.
Business, Labor, & Technology

SB17-043 by Senator(s) Moreno and Hill; also Representative(s) Pabon and Neville P.--Concerning eliminating the requirement for a medical certificate for drivers of personal vehicles who provide transportation services for transportation network companies.
Business, Labor, & Technology

SB17-044 by Senator(s) Kerr, Moreno, Tate; also Representative(s) Arndt, Thurlow--Concerning the scheduled repeal of reports by the department of regulatory agencies to the general assembly.
Business, Labor, & Technology

SB17-045 by Senator(s) Grantham and Williams A.; also Representative(s) Duran and Wist--Concerning a requirement for equitable allocation of the costs of defending a construction defect claim.
Business, Labor, & Technology

SB17-046 by Senator(s) Tate, Kerr, Moreno; also Representative(s) Arndt, Thurlow--Concerning the modernization of procedures pertaining to warrants and checks not yet presented to the state treasurer for payment.
Finance

SB17-047 by Senator(s) Coram; --Concerning additional incentives for the beneficial use of Colorado waste tires.
Agriculture, Natural Resources, & Energy

SB17-048 by Senator(s) Cooke; --Concerning requiring an officer to arrest an offender who escapes from an intensive supervision program in the department of corrections.
Judiciary

SB17-049 by Senator(s) Gardner; also Representative(s) Lundeen--Concerning exemptions from designated groundwater requirements for certain drains.
Agriculture, Natural Resources, & Energy

SB17-050 by Senator(s) Cooke; --Concerning the consolidation of grant programs relating to forest management.
Agriculture, Natural Resources, & Energy

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

December 17, 2015

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO AERONAUTICAL BOARD

for a term expiring December 19, 2019:

Raymond Allen Beck of Craig, Colorado, to serve as a representative of local government in the western slope which operates airports, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Transportation

June 20, 2016

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

Ladies and Gentlemen:

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

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

for a term expiring June 30, 2020:

Margaret Henry of Brighton, Colorado, a Republican, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Education

June 15, 2016

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

Ladies and Gentlemen:

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

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

for a term expiring June 30, 2020:

Claudia Beth Crowell of Grand Junction, Colorado, a Democrat, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Education

July 11, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COAL MINE BOARD OF EXAMINERS

for a term expiring July 1, 2019:

Richard Clair Chermak of Hotchkiss, Colorado, to serve as a coal miner of known experience and practice in underground coal mining residing in the State of Colorado and actively engaged in the coal mining industry during the term of office, reappointed;

for a term expiring July 1, 2020

John Carral Poulos, P.E. of Paonia, Colorado, to serve as a Colorado mine owner, operator, manager or other mine official actively engaged in the underground coal mining industry during the term of office, reappointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

July 21, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
PARKS AND WILDLIFE COMMISSION

for terms expiring July 1, 2020:

Robert William Bray of Redvale, Colorado, as a representative of agriculture and west of the Continental Divide, reappointed;

Michelle Zimmerman of Breckenridge, Colorado, as a representative of a non-profit organization that promotes conservation and recognizes non-consumptive wildlife use, and west of the Continental Divide, reappointed;

Hon. James Vigil of Trinidad, Colorado, as a representative of agriculture, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

May 20, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE BOARD OF STOCK INSPECTION COMMISSIONERS

for a term expiring May 1, 2020:

Kathie Troudt Riley of Loveland, Colorado to serve as a representative with broad general knowledge of the Colorado livestock industry and shall represent commodity other than confinement and non-confinement cattle industries, with the largest percentage of charged fees, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

May 23, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO WATER CONSERVATION BOARD

for a term expiring February 12, 2018:

James Thomas Yahn of Sterling, Colorado, to serve as a representative of the South Platte drainage basin and as a Republican, and occasioned by the death of Phyllis "Diane" Hoppe of Broomfield, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Thursday, January 12, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

2nd Legislative Day — Thursday, January 12, 2017

Prayer — By Senator Lundberg.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--32
Absent--2, Hill, Tate.
Excused--1, Guzman.
Present later--3, Guzman, Hill, Tate.

Quorum — The President announced a quorum present.

Pledge — By Senator Coram.

Reading of the Journal — On motion of Senator Williams, reading of the Journal of Wednesday, January 11, 2017, was dispensed withand the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB17-001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, and 050; SJM17-001; SJR17-001, 002, and 003; SR17-001 and 002.
Correctly Engrossed: SR17-001; SJR17-001.
Correctly Revised: HJR17-1001 and 1002.

CONSIDERATION OF RESOLUTIONS

SJR17-003 by Senator(s) Holbert, Grantham, Guzman; also Representative(s) Buckner, Esgar, Saine, McKean--Concerning the officers and employees of the First Regular Session of the Seventy-first General Assembly.

On motion of Senator Holbert, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SR17-002 by Senator(s) Holbert, Grantham, Guzman; --Concerning the appointment of officers and employees for the Senate convened in the First Regular Session of the Seventy-first General Assembly.

On motion of Senator Holbert, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senate in recess.

Swearing in of Senate Employees

President Grantham administered the oath of office to the employees of the Senate of the First Regular Session of the Seventy-first General Assembly wherein the employees swore to uphold the Constitutions of the United States and of the State of Colorado and to faithfully perform their duties.

Senate reconvened.

COMMITTEE APPOINTMENT

January 11, 2017

Mr. Mike Mauer
Executive Director
Legislative Council
200 East Colfax Ave.
Denver, CO 80203

Dear Mr. Mauer,

Pursuant to C.R.S. § 2-3-901, I hereby appoint Senator Jack Tate and Senator Beth Martinez Humenik to the Statutory Revision Committee.

These appointments are effective immediately.

Sincerely,
(signed)
Kevin J. Grantham
Senate President
Colorado Senate

cc: The Honorable Chris Holbert, Senate Majority Leader
The Honorable Lucia Guzman, Senate Minority Leader
The Honorable Crisanta Duran, Speaker—designee of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
The Honorable Jack Tate, Colorado Senate
The Honorable Beth Martinez Humenik, Colorado Senate
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Chief Clerk, House of Representatives
Mike Mauer, Legislative Council
Dan Cartin, Office of Legislative Legal Service

On motion of Majority Leader Holbert, the Senate adjourned until 8:00 a.m., Friday, January 13, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

3rd Legislative Day — Friday, January 13, 2017

Prayer — By the President *pro tempore*, Senator Jerry Sonnenberg.

Call to Order — By the President at 8:00 a.m.

Roll Call — Present--29
Absent--1, Fields.
Excused--5, Court, Hill, Kagan, Martinez Humenik, Scott.
Present later--3, Fields, Kagan, Martinez Humenik.

Quorum — The President announced a quorum present.

Pledge — By Senator Coram.

Reading of the Journal — On motion of Senator Williams, reading of the Journal of Thursday, January 12, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SJR17-003; SR17-002.
Correctly Enrolled: SR17-001 and SR17-002.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR17-001; SR17-001 and SR17-002.

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR17-004 by Senator(s) Holbert; also Representative(s) Becker K.--Concerning the repeal of Rule No. 27 of the Joint Rules of the Senate and House of Representatives.

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

INTRODUCTION OF BILLS -- FIRST READING

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

SB17-051 by Senator(s) Fields and Gardner; also Representative(s) Foote--Concerning the rights of crime victims.
Judiciary
State, Veterans, & Military Affairs

SB17-052 by Senator(s) Kerr, Moreno, Tate; also Representative(s) Thurlow, Arndt--Concerning recommendations related to title 22 from the department of education to the statutory revision committee.
Education

SB17-053 by Senator(s) Sonnenberg; --Concerning requirements for asbestos litigation claims.
Judiciary

SB17-054 by Senator(s) Court; also Representative(s) Wilson--Concerning voluntary contributions of income tax refunds through the state individual income tax return form, and, in connection therewith, establishing a rotation schedule for funds to appear on the individual income tax return form and removing the requirement that a fund receive a minimum amount of contributions to remain on the form.
Finance

SB17-055 by Senator(s) Neville T., Crowder, Gardner, Grantham, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Sonnenberg, Tate; also Representative(s) Everett, Becker J., Beckman, Buck, Humphrey, Landgraf, Lawrence, Leonard, Lewis, Liston, Lundeen, McKean, Navarro, Neville P., Nordberg, Rankin, Ransom, Saine, Van Winkle, Willett, Williams D., Wilson, Wist--Concerning the prohibition of discrimination against employees based on labor union participation.
Business, Labor, & Technology

SB17-056 by Senator(s) Kerr, Tate, Moreno; also Representative(s) Arndt, Thurlow--Concerning the scheduled repeal of reports by the department of public health and environment to the general assembly.
Health & Human Services

SB17-057 by Senator(s) Guzman; --Concerning the creation of an enterprise that is exempt from the requirements of section 20 of article X of the state constitution and related statutory provisions to administer a fee-based healthcare affordability and sustainability program for hospitals.
Finance

SB17-058 by Senator(s) Baumgardner; also Representative(s) Singer--Concerning the authority of certain individuals to purchase alcohol beverages for a premises licensed to sell alcohol beverages for consumption on the licensed premises.
Business, Labor, & Technology

SB17-059 by Senator(s) Lundberg, Cooke; --Concerning an exemption from the rule requiring a vehicle to signal an intention to leave the current lane of travel when using a roundabout.
Transportation

SB17-060 by Senator(s) Todd, Martinez Humenik; also Representative(s) Wilson--Concerning relocation of the Colorado student leaders institute from the office of the lieutenant governor to the department of higher education.
Education

SB17-061 by Senator(s) Hill and Williams A.; also Representative(s) Sias--Concerning distribution of additional operational funding to charter schools.
Education

SB17-062 by Senator(s) Neville T., Baumgardner, Cooke, Crowder, Grantham, Holbert, Jahn, Lundberg, Marble, Priola, Scott, Sonnenberg, Tate; also Representative(s) Humphrey, Catlin, Everett, Leonard, Lundeen, Neville P., Saine, Van Winkle, Williams D., Wilson--Concerning the right to free speech on campuses of public institutions of higher education.
Education

SB17-063 by Senator(s) Marble; also Representative(s) Melton--Concerning licensing marijuana consumption clubs.
Business, Labor, & Technology

SB17-064 by Senator(s) Kefalas, Aguilar, Jones, Kerr; also Representative(s) Lontine, Ginal, Kennedy, Singer--Concerning the licensing of freestanding emergency departments that provide emergency care outside a hospital setting.
State, Veterans, & Military Affairs

SB17-065 by Senator(s) Lundberg, Aguilar; --Concerning a requirement that health care providers disclose the charges they impose for common health care services when payment is made directly rather than by a third party.
Health & Human Services

SB17-066 by Senator(s) Cooke and Fields; also Representative(s) Saine and Lebsock--Concerning clarifying retroactively the authority of a municipality to employ a police force without going through sunrise review.
Judiciary

SB17-067 by Senator(s) Merrifield, Guzman, Kagan, Kerr, Todd; --Concerning the provision that a percentage of an educator's performance evaluation be determined by student academic growth.
Education

SB17-068 by Senator(s) Todd, Kerr, Merrifield; also Representative(s) Singer, Michaelson Jenet, Wilson--Concerning early support for student success through access to school counselors, and, in connection therewith, serving all grades through the behavioral health care professional matching grant program and the school counselor corps grant program.
Education

SB17-069 by Senator(s) Holbert; also Representative(s) Coleman and Ransom--Concerning processes relating to candidate petitions.
State, Veterans, & Military Affairs

SB17-070 by Senator(s) Kerr; also Representative(s) Young--Concerning the delivery of quality online education within the public elementary and secondary education system.
Education

SB17-071 by Senator(s) Tate; --Concerning reductions in early voting period requirements for voter service and polling centers used in general elections.
State, Veterans, & Military Affairs

SB17-072 by Senator(s) Moreno; --Concerning a prohibition on the imposition of a convenience fee on certain sales transactions.
Finance

SB17-073 by Senator(s) Garcia; also Representative(s) Valdez--Concerning promotion of the Runyon-Fountain lakes state wildlife area.
Agriculture, Natural Resources, & Energy

SB17-074 by Senator(s) Garcia, Jahn, Todd; also Representative(s) Esgar--Concerning the creation of a pilot program in certain areas of the state experiencing high levels of opioid addiction to award grants to increase access to addiction treatment.
Health & Human Services

SB17-075 by Senator(s) Crowder; also Representative(s) Landgraf--Concerning a state income tax deduction for military retirement benefits.
Finance

SB17-076 by Senator(s) Priola; also Representative(s) Coleman--Concerning authority to spend money in the public school performance fund.
Finance

SB17-077 by Senator(s) Jahn; also Representative(s) Willett and Kraft-Tharp, Nordberg--Concerning the eligibility of certain government agencies to apply for a special event permit to sell alcohol beverages.
Local Government

SB17-078 by Senator(s) Gardner; also Representative(s) Melton and Van Winkle--Concerning the property taxation of a residential storage condominium unit.
Finance

SB17-079 by Senator(s) Court; --Concerning the general assembly's intent to limit amendments to initiated statutory laws.
State, Veterans, & Military Affairs

SB17-080 by Senator(s) Merrifield; --Concerning a reduction in the amount of earnings subject to garnishment.
Business, Labor, & Technology

SB17-081 by Senator(s) Donovan, Crowder, Fenberg, Garcia, Guzman, Kefalas, Kerr, Merrifield; also Representative(s) Arndt and Becker K.--Concerning the use of high cost support mechanism funds for rural broadband deployment.
Business, Labor, & Technology

SB17-082 by Senator(s) Lambert; also Representative(s) Lundeen--Concerning the regulation of methadone treatment facilities.
Health & Human Services

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Tuesday, January 17, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

6th Legislative Day Monday, January 16, 2017

THE SENATE DID NOT CONVENE ON THIS DAY

DUE TO OBSERVANCE OF MARTIN LUTHER KING, JR. DAY

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

7th Legislative Day — Tuesday, January 17, 2017

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

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Fields.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Friday, January 13, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB17-051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, 074, 075, 076, 077, 078, 079, 080, 081, and 082; SJR17-004.
Correctly Enrolled: SJR17-001.

CORRECTION OF BILL ASSIGNMENT

The President announced that **SB17-076**, which was originally introduced on Friday, January 13 and assigned to the Committee on Finance, will instead be assigned to the committee on Education.

CONSIDERATION OF RESOLUTIONS

SJR17-002 by Senator(s) Baumgardner and Merrifield, Cooke, Jones; also Representative(s) Singer and Thurlow, Hamner--Concerning the Colorado general assembly's support for the continued research, development, and application of biochar from our forests.

Laid over until Tuesday, January 24, retaining its place on the calendar.

SJR17-004 by Senator(s) Holbert; also Representative(s) Becker K.--Concerning the repeal of Rule No. 27 of the Joint Rules of the Senate and House of Representatives.

On motion of Majority Leader Holbert , the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsors added: Grantham, Guzman, Kagan, Kerr, Marble, Merrifield, Moreno, and Williams A.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, January 18, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

8th Legislative Day Wednesday, January 18, 2017

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community: A Mennonite Congregation, Littleton.

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

Roll Call — Present--32
Excused--3, Cooke, Hill, Martinez Humenik.
Present later--2, Hill, Martinez Humenik.

Quorum — The President announced a quorum present.

Pledge — By Senator Fields.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Tuesday, January 17, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SJR17-004.

MESSAGE FROM THE HOUSE

January 17, 2017

Mr. President:

The House has adopted and returns herewith SJR17-003.

COMMITTEE APPOINTMENTS

January 17, 2017

Mr. Mike Mauer
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Mr. Mike Mauer:

Please be advised that, pursuant to Senate Rule 21(b), I am appointing Senator Lucia Guzman to serve on the Senate Services Committee effective immediately.

Sincerely,
(signed)
Lucia Guzman
Senate Minority Leader

Cc: The Honorable Kevin Grantham, Senate President
The Honorable Chris Holbert, Senate Majority Leader
The Honorable Crisanta Duran, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Effie Ameen, Secretary of the Senate

Marilyn Eddins, Clerk of the House
Dan Cartin, Director of OLLS
Susan Liddle

January 17, 2017

Mr. Mike Mauer
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Mr. Mike Mauer:

Please be advised that I am appointing Senator Kerry Donovan to serve on the Legislative Audit Committee replacing Senator Lois Court effective immediately.

Sincerely,
(signed)
Lucia Guzman
Senate Minority Leader

Cc: The Honorable Kevin Grantham, Senate President
The Honorable Chris Holbert, Senate Majority Leader
The Honorable Crisanta Duran, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Dan Cartin, Director of OLLS
Susan Liddle

APPOINTMENT TO STATUTORY COMMITTEE

Legislative Audit

Pursuant to Section 2-3-101, C.R.S., the Minority Leader appointed Senator Donovan to replace Senator Court as a member of the Legislative Audit Committee.

Majority Leader Holbert moved that the appointment be confirmed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was declared **adopted**.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SJR17-005 by Senator(s) Marble; also Representative(s) Lewis and Buck--Concerning supporting Colorado professional rodeo.

On motion of Senator Marble, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	E	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

SJR17-006 by Senator(s) Grantham; also Representative(s) Duran--Concerning the appointment of members of the Colorado Commission on Uniform State Laws.

On motion of President Grantham, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	E	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Coram, Court, Fields, Gardner, Guzman, Holbert, Jones, Kagan, Kerr, and Merrifield.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

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

SB17-083 by Senator(s) Kagan, Scott; also Representative(s) Foote, Willett--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.
Legal Services

SB17-084 by Senator(s) Jahn, Neville T.; also Representative(s) Singer and Esgar--Concerning a prohibition against excluding a drug from a health coverage plan if the drug had been approved for coverage by the plan for coverage of the enrollee at the time the enrollee enrolled in the plan.
Health & Human Services

SB17-085 by Senator(s) Zenzinger; --Concerning an increase in the fee imposed by counties in connection with the recording of real estate documents for the purpose of financing a statewide attainable housing investment fund.
State, Veterans, & Military Affairs

SB17-086 by Senator(s) Fenberg; --Concerning a clarification that the statute prohibiting local governments from enacting local legislation that would control rent on private residential housing units does not prohibit local governments from adopting inclusionary housing programs.
State, Veterans, & Military Affairs

SB17-087 by Senator(s) Aguilar, Guzman, Kagan, Lundberg, Merrifield; --Concerning granting judicial discretion to sentence a defendant to an indeterminate or determinate sentence for a sexual offense, and, in connection therewith, requiring the criteria and basis for the sentencing decision to be articulated on the public record.
Judiciary

SB17-088 by Senator(s) Holbert and Williams A., Kefalas, Priola, Tate; also Representative(s) Hooton and Van Winkle, Landgraf, Rankin, Buckner, Liston, McKean, Melton, Nordberg--Concerning the criteria used by a health insurer to select health care providers to participate in the insurer's network of providers.
Business, Labor, & Technology

SB17-089 by Senator(s) Fenberg, Lundberg, Garcia, Guzman; --Concerning the rights of consumers of electricity to install electricity storage systems on their property.
Business, Labor, & Technology

SB17-090 by Senator(s) Baumgardner; also Representative(s) Mitsch Bush--Concerning how to measure the level of delta-9 tetrahydrocannabinol in industrial hemp.
Agriculture, Natural Resources, & Energy

SB17-091 by Senator(s) Crowder and Moreno; also Representative(s) Ginal--Concerning allowing medicaid home health services to be provided in the community.
Health & Human Services

SB17-092 by Senator(s) Zenzinger; also Representative(s) Melton--Concerning requiring a personnel file waiver for private employment as part of the background check process for a person applying for a position as a peace officer.
State, Veterans, & Military Affairs

SB17-093 by Senator(s) Kerr, Merrifield; --Concerning the operation of a bicycle approaching an intersection.
Transportation

SB17-094 by Senator(s) Kagan, Aguilar; --Concerning removing felony murder from the provisions of murder in the first degree.
Judiciary

SB17-095 by Senator(s) Guzman; also Representative(s) Garnett--Concerning the repeal of the death penalty by the general assembly.
Judiciary

TRIBUTES

Honoring:

Nexus Services, Inc. -- By Senator Vicki Marble.
Metropolitan State University of Denver -- By Senator Nancy Todd and Senator Owen Hill.
The Denver Broncos -- By President Bill L. Cadman.
Senator Jessie Ulibarri -- By President Bill L. Cadman.
Senator Patrick Steadman -- By President Bill L. Cadman.
Senator Linda Newell -- By President Bill L. Cadman.
Senator Michael Johnston -- By President Bill L. Cadman.
Senator Mary Hodge -- By President Bill L. Cadman.
Senator Rollie Heath -- By President Bill L. Cadman.
Senator Morgan Carroll -- By President Bill L. Cadman.
Senator Mark Scheffel -- By President Bill L. Cadman.
President Bill L. Cadman -- By President Pro Tempore Ellen Roberts.
Mickey Kempf -- By Senator Linda Newell.
The Littleton Community Volunteers -- By Senator Linda Newell.
The Kiwanis Club -- By Senator Nancy Todd.
Treon Goossen -- By Senator Kevin Lundberg.
Lt. Col. John Tillery -- By Senator Kent Lambert.
Park Rangers -- By Senator Matt Jones.
Collin Miller -- By Senator Kevin Lundberg.
George and Ida Mae Vunovich -- By Senator Leroy Garcia.
Saffer Farms -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
HP Bar and Ranch -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Dickinson Farm and Ranch -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Kochis Farm -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Allmer Farm and Ranch -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Chick Farm and Ranch -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Sanders-Naugle-5NLLC -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Cyrilla and Edith Meis -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Coe Middle Creek Ranch -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Fox Fire Farms -- By Senator Jerry Sonnenberg and Representative Edward Vigil.

Haynes Hereford Ranch -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Knoblauch Ranch -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Gates Farm -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Perlenfein Farm -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
RLS Ranch LLC -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Noble Ranch LLC -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Thomas Farms -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Herman G. Peterson Farm/Ranch -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Koch Farm -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Ohr Family Farm -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Stanley E. and Carol J. Shafer -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Sleepy Hollow -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
Wacker Farms and Livestock -- By Senator Jerry Sonnenberg and Representative Edward Vigil.
David Meyer -- By Senator Mark Scheffel.
Tkach Family -- By Senator Ray Scott.
Tom and Wilma Arbogast -- By Senator Leroy Garcia.
City of Greenwood Village -- By Senator Linda Newell.
City of Aurora -- By Senator Linda Newell.
City of Cherry Hills Village -- By Senator Linda Newell.
City of Centennial -- By Senator Linda Newell.
City of Littleton -- By Senator Linda Newell.
City of Sheridan -- By Senator Linda Newell.
City of Englewood -- By Senator Linda Newell.
Town of Bow Mar -- By Senator Linda Newell.
Town of Columbine Valley -- By Senator Linda Newell.
Thomas and Ruth Smith -- By Senator Leroy Garcia.
Phillip and Caterina Costanza -- By Senator Leroy Garcia.
Peter and Glennell Spangler -- By Senator Leroy Garcia.
Tom and Nancy Morrison -- By Senator Leroy Garcia.
Elza Lewis -- By Senator Kent Lambert.
Chrysanda Brunson -- By Senator Kevin Lundberg.
Greg Reinke -- By Senator Linda Newell.
Cheryl McNab -- By Senator Linda Newell.
Dassity Miller -- By Senator Leroy Garcia.
Chow and Nancy Krall -- By Senator Leroy Garcia.
Ed and Frankie Wagner -- By Senator Leroy Garcia.
Jose and Hermalinda Vigil -- By Senator Leroy Garcia.
Dr. Elliot Sandberg -- By Senator Linda Newell.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, January 19, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

9th Legislative Day Thursday, January 19, 2017

Prayer — By the chaplain, Pastor Caleb Huling, Trinity Baptist Church, Trinidad.

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

Roll Call — Present--29
Absent-1, Neville.
Excused--5, Baumgardner, Cooke, Lundberg, Martinez Humenik, Tate.
Present later--5, Baumgardner, Lundberg, Martinez Humenik, Neville, Tate.

Quorum — The President announced a quorum present.

Pledge — By Senator Fields.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Wednesday, January 18, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORT

Judiciary — After consideration on the merits, the Committee recommends that **SB17-015** 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 6, strike "12 WHO PLACES AN ADVERTISEMENT" and substitute "12, OR PURSUANT TO THE LAWS REGARDING MEDICAL OR RETAIL MARIJUANA UNDER THE LAWS OF ANOTHER STATE, INTENTIONALLY ADVERTISES".

Page 2, strike lines 8 and 9 and substitute "INTERNET AND WHO KNOWINGLY ADVERTISES THE UNLAWFUL SALE OF MARIJUANA, MARIJUANA CONCENTRATE, OR A MARIJUANA-INFUSED PRODUCT BY A PERSON NOT LICENSED TO SELL MARIJUANA, MARIJUANA CONCENTRATE, OR A MARIJUANA-INFUSED PRODUCT COMMITS A LEVEL 2 DRUG".

Page 2, strike line 12 and substitute:
"APPLY TO:
(a) A PRIMARY CAREGIVER, AS DEFINED IN ARTICLE XVIII, SECTION".

Page 2, after line 16, insert:
"(b) A MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURER, AS DEFINED IN SECTION 12-43.3-104 (10), OR A RETAIL MARIJUANA PRODUCTS MANUFACTURER, AS DEFINED IN SECTION 12-43.4-103 (19), THAT TRANSFERS MEDICAL MARIJUANA-INFUSED PRODUCTS OR RETAIL MARIJUANA PRODUCTS TO A PERSON LICENSED TO SELL SUCH PRODUCTS; OR
(c) A RETAIL MARIJUANA TESTING FACILITY AS DEFINED IN SECTION 12-43.4-103 (21) THAT OPERATES PURSUANT TO SECTION 12-43.4-405 OR A MEDICAL MARIJUANA TESTING FACILITY THAT OPERATES PURSUANT TO SECTION 12-43.3-405.".

SENATE SERVICES REPORT

Correctly Printed: SB17-083, 084, 085, 086, 087, 088, 089, 090, 091, 092, 093, 094, and 095; SJR17-005 and 006.
Correctly Engrossed: SJR17-005 and 006.

MESSAGE FROM THE HOUSE

January 18, 2017

Mr. President:

The House has adopted and returns herewith SJR17-004 and SJR17-005.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, January 20, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

10th Legislative Day Friday, January 20, 2017

Prayer — By the chaplain, Danny Byram, Danny Byram Ministries, Loveland.

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

Roll Call — Present--33
Absent--1, Williams.
Excused--1, Cooke.
Present later--1, Williams.

Quorum — The President announced a quorum present.

Pledge — By Senator Fields

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Thursday, January 19, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-044** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, strike lines 18 through 27.

Strike page 6.

Page 7, strike lines 1 through 13 and substitute:

"**SECTION 7.** In Colorado Revised Statutes, 40-15-208, **amend** (2)(b) introductory portion, as follows:

40-15-208. High cost support mechanism - Colorado high cost administration fund - creation - purpose - operation - rules - report - repeal. (2) (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before December 1 of each year, the commission shall submit a written report to the committees of reference in the senate and house of representatives that are assigned to hear telecommunications issues, in accordance with section 24-1-136, C.R.S., accounting for the operation of the high cost support mechanism during the preceding calendar year and containing the following information, at a minimum:".

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SJM17-001** be referred to the Senate for final action.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB17-026** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

MESSAGE FROM THE HOUSE

January 19, 2017

Mr. President:

The House has adopted and returns herewith SJR17-006.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR17-003, SJR17-004 and SJR17-005.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, January 23, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

13th Legislative Day — Monday, January 23, 2017

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--34
Excused--1, Scott.

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Friday, January 20, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Enrolled: SJR17-003, 004, and 005.

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-015 by Senator(s) Aguilar; also Representative(s) Pabon--Concerning the unlawful advertising of marijuana.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 19, page 55 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 Neville, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-015 as amended.

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

January 9, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

effective January 9, 2017, for a term expiring on January 7, 2019:

Wendy Moser of Highlands Ranch, Colorado, a Republican, and occasioned by the resignation of Joshua B. Epel of Greenwood Village, Colorado, appointed;

effective January 9, 2017, for a term expiring the Monday preceding the second Tuesday in January 2021:

Jeffrey Paul Ackermann of Denver, Colorado, a Democrat, and to serve as Chair, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/10/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

December 6, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE BOARD FOR COMMUNITY COLLEGES
AND OCCUPATIONAL EDUCATION

effective December 31, 2016 for terms expiring December 31, 2020:

Stratton Rollins “Rollie” Heath, Jr. of Boulder, Colorado, a Democrat and a resident of the Second Congressional District, appointed;

Russell Joseph Meyer of Parker, Colorado, a Democrat and a resident of the Fourth Congressional District, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/4/2017
Effie Ameen, Secretary of the Senate

Committee on Education

December 6, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
BOARD OF TRUSTEES FOR THE
UNIVERSITY OF NORTHERN COLORADO

effective December 31, 2016 for a term expiring December 31, 2020:

Anthony Darren Salazar of Denver, Colorado to serve as an Unaffiliated, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/4/2017
Effie Ameen, Secretary of the Senate

Committee on Education

July 21, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO COMMISSION ON THE AGING

for terms expiring July 1, 2020:

Julie Hoerner Mowry of Denver, Colorado, to serve as an Unaffiliated the First Congressional District, appointed;

Ruth Elaine Long of Fort Collins, Colorado, to serve as a Democrat from the Second Congressional District, reappointed;

Debra Kay Bailey of Grand Junction, Colorado, to serve as a Republican from the Third Congressional District, reappointed;

Marvin Joseph Urban of Colorado Springs, Colorado, to serve as a Democrat from the Fifth Congressional District, reappointed;

Jane McLean Barnes of Lakewood, Colorado, to serve as a Republican from the Seventh Congressional District, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

September 15, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2020:

Connie Mae Ring of Springfield, Colorado, to serve as an Unaffiliated from the Fourth Congressional District, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR17-006.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, January 24, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

14th Legislative Day Tuesday, January 24, 2017

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

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

Roll Call — Present--33
Excused--2, Hill, Scott.

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Monday, January 23, 2017, 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 **SB17-031** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-048** 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 6, after "his" insert "OR HER".

Page 2, line 7, strike "program," and substitute "program;".

Page 2, line 9, strike "so, he" and substitute "so; OR KNOWINGLY REMOVES OR TAMPERS WITH AN ELECTRONIC MONITORING DEVICE THAT HE OR SHE IS REQUIRED TO WEAR AS A CONDITION OF PAROLE; he OR SHE".

Page 2, strike lines 15 through 18 and substitute "18-8-208, BY KNOWINGLY REMOVING OR TAMPERING WITH AN ELECTRONIC MONITORING DEVICE THAT HE OR SHE IS REQUIRED TO WEAR AS A CONDITION OF PAROLE, THE OFFICER SHALL IMMEDIATELY SEEK A WARRANT FOR THE OFFENDER'S ARREST OR EFFECTUATE AN IMMEDIATE ARREST IF THE OFFENDER IS IN THE PRESENCE OF THE OFFICER.".

Page 3, strike lines 1 through 3 and substitute "REQUIRES:
(a) "ESCAPE" INCLUDES BUT IS NOT LIMITED TO KNOWINGLY REMOVING OR TAMPERING WITH AN ELECTRONIC MONITORING DEVICE THAT A PAROLEE IS REQUIRED TO WEAR AS A CONDITION OF PAROLE.
(b) "PEACE OFFICER" MEANS A CERTIFIED PEACE OFFICER DESCRIBED IN SECTION 16-2.5-102.".

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-043** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

On motion of Senator Court, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

SENATE SERVICES REPORT

Correctly Engrossed: SB17-015.

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:

SB17-015 by Senator(s) Aguilar; also Representative(s) Pabon--Concerning the unlawful advertising of marijuana.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	E	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Court, Crowder, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Holbert, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Smallwood, Todd, Williams A., and Zenzinger.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Cooke was called to act as Chair.

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

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

SB17-026 by Senator(s) Sonnenberg; also Representative(s) Arndt--Concerning requirements governing implementation of the state engineer's functions, and, in connection therewith, restructuring the fee that the state engineer may charge for rating certain types of water infrastructure, repealing certain requirements, and updating language in the statutes regarding the division of water resources.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	E	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-026.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-044 by Senator(s) Kerr, Moreno, Tate; also Representative(s) Arndt, Thurlow--Concerning the scheduled repeal of reports by the department of regulatory agencies to the general assembly.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, January 20, page 57 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 Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	E	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-044 as amended.

CONSIDERATION OF RESOLUTIONS

SJR17-002 by Senator(s) Baumgardner and Merrifield, Cooke, Jones; also Representative(s) Singer and Thurlow, Hamner--Concerning the Colorado general assembly's support for the continued research, development, and application of biochar from our forests.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	E	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Holbert, Jahn, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Moreno, Neville T., Priola, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

CONSIDERATION OF MEMORIALS

SJM17-001 by Senator(s) Jones and Merrifield; also Representative(s) Hamner and Thurlow--Concerning the need for Congress to fund catastrophic wildfire response costs outside of federal forest management agencies' normal budgets.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	E	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Holbert, Jahn, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Moreno, Neville T., Priola, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: **HJR17-1001, 1002**.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, January 25, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

15th Legislative Day Wednesday, January 25, 2017

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community: A Mennonite Congregation, Littleton.

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

Roll Call — Present--33
Excused--2, Lambert, Scott.

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Tuesday, January 24, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

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

COMMITTEE OF REFERENCE REPORTS

Local Government — After consideration on the merits, the Committee recommends that **SB17-034** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-018** 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 **SB17-005** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, after line 17 insert:

"(III) IF A LOCAL BOARD APPROVES A SHERIFF'S CURRICULUM, AS DESCRIBED IN SUBSECTION (2)(d)(I) OF THIS SECTION, AND AUTHORIZES ONE OR MORE EMPLOYEES TO CARRY A CONCEALED HANDGUN IN EACH SCHOOL AND CHARTER SCHOOL OF THE SCHOOL DISTRICT, ANY RECORDS PERSONALLY IDENTIFYING SUCH EMPLOYEES ARE NOT PUBLIC RECORDS FOR THE PURPOSES OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24.".

Page 7, after line 15 insert:

"(c) IF THE STATE CHARTER SCHOOL INSTITUTE APPROVES A SHERIFF'S CURRICULUM, AS DESCRIBED IN SUBSECTION (13)(a) OF THIS SECTION, AND AUTHORIZES ONE OR MORE EMPLOYEES TO CARRY A CONCEALED HANDGUN ON THE GROUNDS OF AN INSTITUTE CHARTER SCHOOL, ANY RECORDS PERSONALLY IDENTIFYING SUCH EMPLOYEES ARE NOT PUBLIC RECORDS FOR THE PURPOSES OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24.".

Finance After consideration on the merits, the Committee recommends that **SB17-075** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB17-020** 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 **SB17-013** 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 **SB17-046** 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 Engrossed: SB17-026 and 044; SJM17-001; SJR17-002.
Correctly Reengrossed: SB17-015.

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

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

SB17-026 by Senator(s) Sonnenberg; also Representative(s) Arndt--Concerning requirements governing implementation of the state engineer's functions, and, in connection therewith, restructuring the fee that the state engineer may charge for rating certain types of water infrastructure, repealing certain requirements, and updating language in the statutes regarding the division of water resources.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	E	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder and Donovan.

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:

SB17-044 by Senator(s) Kerr, Moreno, Tate; also Representative(s) Arndt, Thurlow--Concerning the scheduled repeal of reports by the department of regulatory agencies to the general assembly.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	E	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Court, Fields, Guzman, Jahn, Kagan, Martinez Humenik, Priola, and Zenzinger.

Upon request of Majority Leader Holbert, **SB17-043** was removed from the General Orders--Second Reading of Bills Consent Calendar of Thursday, January 26, 2017.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, **SB17-043** was placed at the end of the General Orders--Second Reading of Bills Calendar of Monday, January 30, 2017.

TRIBUTES

Honoring:

Larry Oddo -- By President Kevin J. Grantham.
UCount -- By Senator John Kefalas.
The Employees of Colorado's Oil and Gas Industry -- By Senator John Cooke.
Dr. Susan Collins -- By Senator Steve Fenberg.
Anne Perring -- By Senator Steve Fenberg.
Dr. Franck Vernerey -- By Senator Steve Fenberg.
Piper Communication Services, Inc. -- By Senator Rachel Zenzinger.
Suzanne Acheson -- By Senator Rhonda Fields.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, January 26, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

16th Legislative Day Thursday, January 26, 2017

Prayer — By the chaplain, Reverend Jerry Demmer, The Absolute Word Church, Denver.

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

Roll Call — Present--33
Excused--2, Guzman, Scott.

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Wednesday, January 25, 2017, 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 **SB17-008** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-024** 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 **SB17-058** 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 **SB17-001** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-025** 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 9, after the period add "THE DEPARTMENT MAY CONTRACT FOR SERVICES TO SUPPORT THE MAINTENANCE OF THE RESOURCE BANK AND DEVELOPMENT OF THE CURRICULA.".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-029** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-037** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-023** be postponed indefinitely.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-016** 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 16, strike "(7), (8), and (9)" and substitute "(7), and (8); **repeal** (9); and **add** (12)".

Page 2, line 18, strike "**rules.**" and substitute "**rules - report.**".

Page 2, line 22, strike "OR" and substitute "DIRECTOR OR THE DIRECTORS OF A".

Page 2, line 23, strike "OR" and substitute "DIRECTOR OR THE DIRECTORS OF A".

Page 3, line 5, after the period add "IF A CHILD PROTECTION TEAM IS FORMED PURSUANT TO THIS SECTION IN A COUNTY OR CONTIGUOUS GROUP OF COUNTIES, THE DIRECTOR OR DIRECTORS OF THE COUNTY DEPARTMENT OR DEPARTMENTS OF HUMAN OR SOCIAL SERVICES MAY, AT THEIR DISCRETION, IMPLEMENT THE PROVISIONS OF THIS SECTION.".

Page 3, strike lines 6 through 8 and substitute:

"(b) ~~The child protection team shall review the investigatory reports of the case, which shall include the diagnostic,~~ IF A CHILD PROTECTION TEAM IS ESTABLISHED PURSUANT TO SUBSECTION (6)(a) OF THIS SECTION, IT MAY REVIEW AN ASSESSMENT OR THE INVESTIGATORY REPORTS OF A CASE, INCLUDING THE DIAGNOSTIC,".

Page 3, line 13, strike "MUST" and substitute "MAY", and after "each" insert "ASSESSMENT OR".

Page 4, strike lines 18 and 19 and substitute:

"(i) ~~The team shall~~ A CHILD PROTECTION TEAM ESTABLISHED PURSUANT TO SUBSECTION (6)(a) OF THIS SECTION MAY make a report of its".

Page 5, line 2, strike "shall" and substitute "~~shall~~ MAY".

Page 5, line 5, strike "shall" and substitute "~~shall~~ MAY".

Page 5, strike lines 14 through 17 and substitute:

"(9) ~~The child protection team shall meet no later than one week after receipt of a report to evaluate such report of child abuse.~~

(12) THE STATE DEPARTMENT SHALL INCLUDE A SUMMARY AND DESCRIPTION OF WORK OF CHILD PROTECTION TEAMS THAT WERE IMPLEMENTED PURSUANT TO THIS SECTION IN ITS ANNUAL PRESENTATION TO THE LEGISLATIVE COMMITTEES DURING THE COMMITTEES' HEARINGS HELD PRIOR TO THE 2017 REGULAR SESSION UNDER THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-033** be amended as follows, and as so amended, be referred to the Committee on Business, Labor, & Technology with favorable recommendation.

Amend printed bill, page 2, line 10, strike "NURSE PRACTITIONER," and substitute "ADVANCED PRACTICE NURSE,".

Page 2, line 17, strike "DELEGATE," insert "DELEGATE WITH WRITTEN AUTHORIZATION, INCLUDING STANDING ORDERS, FROM THE HEALTH CARE PROVIDER WITH PRESCRIPTIVE AUTHORITY".

SENATE SERVICES REPORT

Correctly Reengrossed: SB17-026 and 044.

MESSAGE FROM THE HOUSE

January 26, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1004, and amended as printed in House Journal, January 25, 2017.

The House has adopted and returns herewith SJR17-002.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB17-031, SB17-048) of Thursday, January 26 was laid over until Friday, January 27, retaining its place on the calendar.

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

July 21, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE HISTORICAL SOCIETY
BOARD OF DIRECTORS

for a term expiring July 1, 2019:

Alan Bruce Salazar of Thornton, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Education

November 30, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for a term expiring October 1, 2020:

Judy Lyn Skram of Fort Collins, Colorado, to serve as a representative of the South Plate Drainage Basin, and as a representative of water project financing, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

October 20, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for terms expiring September 1, 2020:

Tyson Lynn Worrell of Lakewood, Colorado, to serve as a representative of full-time paid police officers, reappointed;

Adilberto Antonio “Guy” Torres III of Littleton, Colorado, to serve as a member of the state's financial or business community with experience in investments, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Finance

October 5, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE HISTORICAL SOCIETY
BOARD OF DIRECTORS

for a term expiring July 1, 2019:

Cathy Lee Carpenter Dea of Golden, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Education

August 29, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
SPECIAL FUNDS BOARD FOR
WORKERS' COMPENSATION SELF INSURERS

for a term expiring July 1, 2020:

Gary Lee Swenson of Castle Rock, Colorado, to serve as a manager or employee of self-insured employers in good standing, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

August 8, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF MORTGAGE LOAN ORIGINATORS

for terms expiring August 10, 2020:

Cynthia "Cindy" Emerine of Evergreen, Colorado, a licensed mortgage loan originator, appointed;

Bruce Michael Jordan of Centennial, Colorado, a licensed mortgage loan originator, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

July 1, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE HISTORICAL SOCIETY
BOARD OF DIRECTORS

for a term expiring July 1, 2019:

Robert E. Musgraves of Denver, Colorado, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Education

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, January 27, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

17th Legislative Day — Friday, January 27, 2017

Prayer — By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

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

Roll Call — Present--33
Excused--2, Guzman, Scott.

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Thursday, January 26, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB17-030** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 7, strike "an anabolic steroid ~~which~~" and substitute "~~an anabolic steroid which~~ HUMAN CHORIONIC GONADOTROPIN LICENSED FOR ANIMAL USE ONLY".

Page 2, line 12, strike "a steroid" and substitute "~~a steroid~~ HUMAN CHORIONIC GONADOTROPIN LICENSED FOR ANIMAL USE ONLY, AS".

Finance — After consideration on the merits, the Committee recommends that **SB17-078** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 13, strike "LOCATED" and substitute "LOCATED, ON OR BEFORE MARCH 1 OF THE PROPERTY TAX YEAR,".

Page 3, line 16, strike "TO BE ACCEPTED BY THE".

Page 3, strike lines 17 through 19.

Page 3, line 20, strike "THE AFFIDAVIT ON OR BEFORE NOVEMBER 1, 2017.".

Page 5, line 9, strike "2017." and substitute "2018.".

Education — After consideration on the merits, the Committee recommends that **SB17-060** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, line 27, after "contracting" insert "THROUGH THE DEPARTMENT OF HIGHER EDUCATION".

Page 8, line 5, strike "executive board" and substitute "DEPARTMENT OF HIGHER EDUCATION, ON BEHALF OF THE executive board,".

Page 8, strike line 7 and substitute "DEPARTMENT, WORKING WITH THE executive board, shall select and enter into a contract on behalf of the EXECUTIVE BOARD AND THE".

Page 8, line 10, strike "executive board" and substitute "~~executive board~~ DEPARTMENT".

Page 9, line 17, before "institute" insert "DEPARTMENT OF HIGHER EDUCATION FOR THE".

Education — After consideration on the merits, the Committee recommends that **SB17-052** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Health & Human Services — After consideration on the merits, the Committee recommends that **SB17-065** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, line 17, after "(a)" insert "(I)".

Page 4, after line 26 insert:

"(II) A HEALTH CARE PROVIDER WHO IS A MEMBER OF A PROFESSIONAL CORPORATION THAT CONTRACTS WITH A SINGLE HEALTH MAINTENANCE ORGANIZATION, AS DEFINED IN SECTION 10-16-102 (35), COMPLIES WITH THIS SECTION IF THE PROFESSIONAL CORPORATION OR ITS CONTRACTING HEALTH MAINTENANCE ORGANIZATION POSTS, EITHER ELECTRONICALLY OR ON ITS WEBSITE, THE HEALTH CARE PRICES FOR AT LEAST THE FIFTEEN MOST COMMON HEALTH CARE SERVICES THAT THE HEALTH CARE PROVIDER OR HEALTH MAINTENANCE ORGANIZATION WOULD CHARGE INDIVIDUALS WHO ARE NOT MEMBERS OF THE HEALTH MAINTENANCE ORGANIZATION.".

Page 6, strike lines 2 through 5 and substitute:

"(b) IF A HEALTH CARE FACILITY DID NOT USE FIFTY CODES FOR IN-PATIENT HEALTH CARE SERVICES AT LEAST ELEVEN TIMES IN THE PREVIOUS TWELVE MONTHS OR DID NOT USE TWENTY-FIVE CODES FOR OUT-PATIENT HEALTH CARE SERVICES AT LEAST ELEVEN TIMES IN THE PREVIOUS TWELVE MONTHS, THE HEALTH CARE FACILITY SHALL MAKE AVAILABLE THE HEALTH CARE PRICE FOR ONLY THOSE MOST COMMON IN-PATIENT AND OUT-PATIENT HEALTH CARE SERVICES OR PROCEDURE CODES THAT THE HEALTH CARE FACILITY USED AT LEAST ELEVEN TIMES IN THE PREVIOUS TWELVE MONTHS.".

Health & Human Services — After consideration on the merits, the Committee recommends that **SB17-028** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 8, after "REPORT" insert "THAT IS ASSIGNED FOR AN ASSESSMENT BY".

Page 2, line 9, strike "RECEIVES".

Page 3, strike line 1 and substitute "OR A SIGNIFICANT OTHER OR FAMILY MEMBER RESIDING IN THE HOME OF THE MEMBER OF THE ARMED".

Page 3, line 6, strike "NEGLECT AND TO" and substitute "NEGLECT.".

Page 3, strike lines 7 and 8.

Page 3, line 14, after "TO" insert "ASSESSMENTS OF".

Page 3, strike line 17 and substitute "ARMED FORCES OR A SPOUSE, OR A SIGNIFICANT OTHER OR FAMILY MEMBER RESIDING IN THE HOME OF".

Page 3, line 20, strike "MANDATES" and substitute "IS CRITICAL FOR".

Page 4, line 16, after "NEGLECT" insert "THAT IS ASSIGNED FOR AN ASSESSMENT AND".

Page 4, strike line 18 and substitute "ARMED FORCES OR A SPOUSE, OR A SIGNIFICANT OTHER OR FAMILY MEMBER RESIDING IN THE HOME OF".

Page 4, strike line 25 and substitute "ARMED FORCES OR A SPOUSE, OR A SIGNIFICANT OTHER OR FAMILY MEMBER RESIDING IN THE HOME OF".

Page 5, strike line 15 and substitute "A SPOUSE, OR A SIGNIFICANT OTHER OR FAMILY MEMBER RESIDING IN THE HOME OF THE MEMBER OF".

Page 6, lines 2 and 3, strike "SIGNIFICANT OTHER, OR FAMILY MEMBER OF" and substitute "OR A SIGNIFICANT OTHER OR FAMILY MEMBER RESIDING IN THE HOME OF".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-011** 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 25, strike "SEVEN" and substitute "EIGHT".

Page 7, line 14, strike "AND".

Page 7, line 16, strike "DESIGNEE." and substitute "DESIGNEE; AND

(VIII) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION OR THE EXECUTIVE DIRECTOR'S DESIGNEE.".

Committee of the Whole

On motion of Senator Garcia, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Garcia was called to act as Chair.

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

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

SB17-018 by Senator(s) Moreno, Kerr, Tate; also Representative(s) Arndt, Thurlow--Concerning a correction to an amending clause in Senate Bill 16-146 related to the repeal of part 14 of article 4 of title 25.

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

SB17-020 by Senator(s) Cooke; also Representative(s) Melton and Ginal--Concerning the establishment of a uniform approval standard for fire and police pension association statewide plan elections.

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

SB17-013 by Senator(s) Jones; also Representative(s) Danielson and Van Winkle, Ginal, Lontine, Melton, Salazar--Concerning authorization of the board of directors of the fire and police pension association to develop a multi-employer deferred compensation plan document.

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

SB17-046 by Senator(s) Tate, Kerr, Moreno; also Representative(s) Arndt, Thurlow--Concerning the modernization of procedures pertaining to warrants and checks not yet presented to the state treasurer for payment.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-018, SB17-020, SB17-013, SB17-046.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB17-031, SB17-048, SB17-034, SB17-005) of Friday, January 27 was laid over until Monday, January 30, retaining its place on the calendar.

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

September 23, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
BOARD OF MORTGAGE LOAN ORIGINATORS

for a term expiring August 10, 2020:

Miriam Peña Garcia of Denver, Colorado, to serve as a member of the public at large, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

December 12, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO WILDLIFE HABITAT STAMP COMMITTEE

for a term expiring December 31, 2019:

Andrew Christian Treharne of Denver, Colorado, to serve as a sportsperson, and occasioned by the resignation of Kyle Miller of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/4/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR17-002.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

January 27, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1005, HJR17-1006, HJR17-1007, HJR17-1008, HJR17-1009, HJR17-1010, HJR17-1011, HJR17-1012 as printed in House Journal, January 27, 2017.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR17-007 by Senator(s) Sonnenberg; also Representative(s) Becker J.--Concerning the designation of January 30, 2017, as Colorado 4-H day
Laid over one day under Senate Rule 30(b).

HJR17-1005 by Representative(s) Foote and Ransom; also Senator(s) Marble and Guzman, Garcia--Concerning recognition of Military, Veterans, and MIA/POW Appreciation Day.
Laid over one day under Senate Rule 30(e).

HJR17-1006 by Representative(s) Esgar and Navarro; also Senator(s) Gardner and Garcia--Concerning the U.S.S. Pueblo.
Laid over one day under Senate Rule 30(e).

HJR17-1007 by Representative(s) Exum and Neville P.; also Senator(s) Crowder and Kagan--Concerning recognition of one hundred years of service by the 4th Infantry Division.
Laid over one day under Senate Rule 30(e).

HJR17-1008 by Representative(s) Lee and Wilson; also Senator(s) Lambert and Merrifield--Concerning the 150th anniversary of Canada and Colorado's relationship with Canada through the North American Aerospace Defense Command.
Laid over one day under Senate Rule 30(e).

HJR17-1009 by Representative(s) Michaelson Jenet and Williams D.; also Senator(s) Holbert and Zenzinger--Concerning commemorating the seventy-fifth anniversary of the attack on Pearl Harbor.
Laid over one day under Senate Rule 30(e).

HJR17-1010 by Representative(s) Lontine and Willett; also Senator(s) Hill and Todd--Concerning the defense industry in Colorado.
Laid over one day under Senate Rule 30(e).

HJR17-1011 by Representative(s) Carver and Weissman, Lee; also Senator(s) Lambert and Fields, Merrifield--Concerning the thirty-fifth anniversary of the United States Air Force Space Command.
Laid over one day under Senate Rule 30(e).

HJR17-1012 by Representative(s) Lebsock and Sias; also Senator(s) Grantham and Donovan--Concerning recognition of military personnel from Colorado who have served around the world in the ongoing war against terrorism and honoring those who have died while serving the cause of freedom.
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:

SB17-096 by Senator(s) Lambert, Cooke, Grantham, Lundberg; also Representative(s) Lundeen, Williams D.--Concerning creation of a grant program to support a shared peace officer auxiliary.
Judiciary

SB17-097 by Senator(s) Martinez Humenik, Court, Gardner, Lundberg, Moreno; also Representative(s) Coleman--Concerning the presumption that a conveyance of an interest in land also conveys an interest in adjoining property consisting of a vacated right-of-way.
Judiciary

SB17-098 by Senator(s) Kefalas; also Representative(s) Ginal--Concerning mobile home parks, and, in connection therewith, promoting home ownership, protecting property rights, and providing incentives to local governments to preserve and develop mobile home park communities.
State, Veterans, & Military Affairs

SB17-099 by Senator(s) Kerr, Aguilar, Fenberg, Garcia, Guzman, Jones, Kefalas, Merrifield, Moreno, Williams A.; also Representative(s) Rosenthal--Concerning adoption of an agreement among the states to elect the president of the United States by national popular vote.
State, Veterans, & Military Affairs

SB17-100 by Senator(s) Sonnenberg; --Concerning qualified immunity for persons performing land stewardship activities on public lands.
Agriculture, Natural Resources, & Energy

SB17-101 by Senator(s) Todd, Merrifield, Kagan, Kerr; also Representative(s) Carver--Concerning the state assessments administered in public schools.
Education

SB17-102 by Senator(s) Zenzinger; also Representative(s) Pettersen--Concerning prohibitions affecting the student information that school service providers collect.
Education

SB17-103 by Senator(s) Merrifield, Todd, Kerr, Zenzinger, Jones; --Concerning implementing research-based early learning strategies as corrective actions in the public elementary and secondary education accountability system.
Education

SB17-104 by Senator(s) Donovan; --Concerning the requirement that a health insurance carrier offer a catastrophic plan in certain geographic rating areas.
Business, Labor, & Technology

SB17-105 by Senator(s) Garcia, Cooke, Fenberg, Jones; --Concerning consumers' right to know their electric utility charges by requiring investor-owned electric utilities to provide their customers with a comprehensive breakdown of cost on their monthly bills.
Agriculture, Natural Resources, & Energy

SB17-106 by Senator(s) Aguilar and Coram, Kefalas; also Representative(s) Singer--Concerning the continuation of the regulation of naturopathic doctors by the director of the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the department's sunset review recommendations.
Health & Human Services

SB17-107 by Senator(s) Merrifield, Fenberg, Kerr, Todd, Zenzinger; also Representative(s) McLachlan--Concerning measures to reward public education entities that provide student access to arts education programs.
State, Veterans, & Military Affairs

SB17-108 by Senator(s) Crowder, Aguilar, Kefalas; also Representative(s) Buckner--Concerning continuation of the regulation of speech-language pathologists by the director of the division of professions and occupations, and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies.
Health & Human Services

SB17-109 by Senator(s) Donovan; also Representative(s) Arndt--Concerning the use of industrial hemp in products designed for consumption.
Agriculture, Natural Resources, & Energy

SB17-110 by Senator(s) Crowder and Kefalas; --Concerning expanding the number of unrelated children to no more than four to qualify for license-exempt family child care.
Health & Human Services

SB17-111 by Senator(s) Neville T.; also Representative(s) Michaelson Jenet and Gray--Concerning measures to address medical marijuana inventory shortfalls.
Business, Labor, & Technology

SB17-112 by Senator(s) Neville T., Court, Hill, Jahn, Kerr, Tate, Smallwood; also Representative(s) Pabon, Covarrubias, Lawrence, Thurlow, Van Winkle, Leonard, Liston--Concerning a clarification of the effect of statutes of limitations on the dispute resolution process when a taxpayer owes sales or use tax to one local government but has erroneously paid the disputed tax to another local government.
Finance

SB17-113 by Senator(s) Neville T.; also Representative(s) Everett--Concerning a requirement that the total employer contribution rates for public employees' retirement association employers in the 2018 calendar year are the maximum total employer contribution rates for future calendar years.
Finance

SB17-114 by Senator(s) Moreno; --Concerning accountability in the elementary and secondary public education system.
Education

SB17-115 by Senator(s) Cooke; also Representative(s) Willett and Foote--Concerning an expansion of the exception to the crime of possession of sexually exploitative material for persons involved in sexually exploitative material cases.
Judiciary

SB17-116 by Senator(s) Neville T., Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Smallwood, Sonnenberg; also Representative(s) Van Winkle, Buck, Covarrubias, Everett, Humphrey, Leonard, Lundeen, Navarro, Neville P., Nordberg, Ransom, Saine, Sias, Williams D.--Concerning allowing a law-abiding person to carry a concealed handgun without a permit, and, in connection therewith, preserving current laws restricting the carrying of concealed handguns on certain property including public schools.
State, Veterans, & Military Affairs

SB17-117 by Senator(s) Coram, Cooke; also Representative(s) Catlin and Valdez--Concerning confirmation that industrial hemp is a recognized agricultural product for which a person with a water right decreed for agricultural use may use the water subject to the water right for industrial hemp cultivation.
Agriculture, Natural Resources, & Energy

SB17-118 by Senator(s) Fields; also Representative(s) Weissman--Concerning consumer information on postsecondary training programs.
State, Veterans, & Military Affairs

SB17-119 by Senator(s) Court; --Concerning calculating the number of property tax mills each school district is required to levy for total program funding in school finance.
State, Veterans, & Military Affairs

SB17-120 by Senator(s) Gardner; --Concerning the requirement of United States citizenship to be a peace officer in Colorado.
Judiciary

SB17-121 by Senator(s) Crowder and Lundberg; also Representative(s) Danielson and Landgraf--Concerning improving medicaid client correspondence.
Health & Human Services

SB17-122 by Senator(s) Tate; --Concerning the duties of the fallen heroes memorial commission, and, in connection therewith, repealing the commission and shifting all remaining responsibilities to the state capitol building advisory committee.
State, Veterans, & Military Affairs

SB17-123 by Senator(s) Priola and Zenzinger; also Representative(s) Hamner and Wilson--Concerning a high school diploma endorsement for biliteracy.
Education

SB17-124 by Senator(s) Moreno and Martinez Humenik, Kerr, Tate; also Representative(s) Nordberg and Hooton, Arndt, Thurlow--Concerning a correction to the "Colorado Uniform Trust Decanting Act".
Finance

SB17-125 by Senator(s) Guzman; also Representative(s) Pabon--Concerning allowing certain persons who have been exonerated of crimes to receive in lump-sum payments compensation that is owed to them by the state.
Judiciary
Finance

SB17-126 by Senator(s) Guzman and Gardner; also Representative(s) Hamner and Willett--Concerning the Colorado domestic violence fatality review board.
Judiciary

SB17-127 by Senator(s) Tate; also Representative(s) Pabon--Concerning an expansion of the exemption from the requirements that apply to a mortgage loan originator to include up to three loans per year without compensation between family members.
Business, Labor, & Technology

SB17-128 by Senator(s) Fields; also Representative(s) Bridges--Concerning policies relating to violations of codes of behavior at institutions of higher education.
State, Veterans, & Military Affairs

Journal correction:

Page 66, line 10, strike "SB17-006." and substitute "SB17-015.".

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, January 30, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

20th Legislative Day Monday, January 30, 2017

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Friday, January 27, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB17-096, 097, 098, 099, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, and 128; SJR17-007.
Correctly Engrossed: SB17-013, 018, 020, and 046.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR17-1004 by Representative(s) Mitsch Bush, Arndt, Becker J.; also Senator(s) Baumgardner, Sonnenberg--Concerning funding for the prevention of aquatic nuisance species in Colorado.

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

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-007 by Senator(s) Sonnenberg; also Representative(s) Becker J.--Concerning the designation of January 30, 2017, as Colorado 4-H day.

On motion of Senator Sonnenberg, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Tate, Todd, Williams A., and Zenzinger.

HJR17-1005 by Representative(s) Foote and Ransom; also Senator(s) Marble and Guzman, Garcia--Concerning recognition of Military, Veterans, and MIA/POW Appreciation Day.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

HJR17-1006 by Representative(s) Esgar and Navarro; also Senator(s) Gardner and Garcia--Concerning the U.S.S. Pueblo.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

HJR17-1007 by Representative(s) Exum and Neville P.; also Senator(s) Crowder and Kagan--Concerning recognition of one hundred years of service by the 4th Infantry Division.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

HJR17-1008 by Representative(s) Lee and Wilson; also Senator(s) Lambert and Merrifield--Concerning the 150th anniversary of Canada and Colorado's relationship with Canada through the North American Aerospace Defense Command.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lundberg, Marble, Martinez Humenik, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

HJR17-1009 by Representative(s) Michaelson Jenet and Williams D.; also Senator(s) Holbert and Zenzinger--Concerning commemorating the seventy-fifth anniversary of the attack on Pearl Harbor.

On motion of Majority Leader Holbert, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, and Williams A.

HJR17-1010 by Representative(s) Lontine and Willett; also Senator(s) Hill and Todd--Concerning the defense industry in Colorado.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Williams A., and Zenzinger.

HJR17-1011 by Representative(s) Carver and Weissman, Lee; also Senator(s) Lambert and Fields, Merrifield--Concerning the thirty-fifth anniversary of the United States Air Force Space Command.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lundberg, Marble, Martinez Humenik, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

HJR17-1012 by Representative(s) Lebsock and Sias; also Senator(s) Grantham and Donovan--Concerning recognition of military personnel from Colorado who have served around the world in the ongoing war against terrorism and honoring those who have died while serving the cause of freedom.

On motion of President Grantham, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Fenberg, Fields, Garcia, Gardner, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

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

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

SB17-018 by Senator(s) Moreno, Kerr, Tate; also Representative(s) Arndt, Thurlow--Concerning a correction to an amending clause in Senate Bill 16-146 related to the repeal of part 14 of article 4 of title 25.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Martinez Humenik.

SB17-020 by Senator(s) Cooke; also Representative(s) Melton and Ginal--Concerning the establishment of a uniform approval standard for fire and police pension association statewide plan elections.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Guzman, Jones, Kerr, Merrifield, Williams A., and Zenzinger.

SB17-013 by Senator(s) Jones; also Representative(s) Danielson and Van Winkle, Ginal, Lontine, Melton, Salazar--Concerning authorization of the board of directors of the fire and police pension association to develop a multi-employer deferred compensation plan document.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Kerr, Todd, and Zenzinger.

SB17-046 by Senator(s) Tate, Kerr, Moreno; also Representative(s) Arndt, Thurlow--Concerning the modernization of procedures pertaining to warrants and checks not yet presented to the state treasurer for payment.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Crowder, Gardner, Grantham, Holbert, Martinez Humenik, Neville T., Priola, Scott, Smallwood, and Sonnenberg.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Cooke was called to act as Chair.

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

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

SB17-024 by Senator(s) Fields; also Representative(s) Young--Concerning the hearsay exception for persons with an intellectual and developmental disability when a defendant is charged with a crime against an at-risk person.

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

SB17-058 by Senator(s) Baumgardner; also Representative(s) Singer--Concerning the authority of certain individuals to purchase alcohol beverages for a premises licensed to sell alcohol beverages for consumption on the licensed premises.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-024, SB17-058

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-031 by Senator(s) Tate, Kerr, Moreno; also Representative(s) Arndt, Thurlow--Concerning the scheduled repeal of reports by the department of corrections to the general assembly.

Amendment No. 1(L.002), by Senator Fields.

Amend printed bill, page 6, strike lines 24 through 27.

Strike page 7 and substitute:

"**SECTION 12. Act subject to petition - effective date.** Section 2 of this act takes effect January 1, 2022, and the remainder of this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor; except that section 2 of this act takes effect January 1, 2022.".

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

SB17-034 by Senator(s) Jones and Lundberg, Kefalas; also Representative(s) Foote and McKean--Concerning extension of the period following the declaration by the governor of a disaster emergency in a county within which the board of county commissioners of the county may transfer county general fund money to the county road and bridge fund for the purposes of disaster response and recovery.

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

SB17-048 by Senator(s) Cooke; also Representative(s) Willett--Concerning requiring an officer to arrest an offender who escapes from an intensive supervision program in the department of corrections.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 24, page 65 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Kagan.

Amend the Judiciary Committee Report, dated January 23, 2017, page 1, line 11, strike "OFFICER."." and substitute "OFFICER. HOWEVER, BEFORE AN OFFICER ARRESTS AN OFFENDER PURSUANT TO THIS SUBSECTION (2), THE OFFICER, IF PRACTICABLE, SHALL DETERMINE THAT THE NOTIFICATION OF REMOVAL OR TAMPERING WAS NOT MERELY THE RESULT OF AN EQUIPMENT MALFUNCTION.".".

Page 1, strike lines 13 through 17 and substitute:
"(a) "PEACE OFFICER" MEANS A CERTIFIED PEACE OFFICER DESCRIBED IN SECTION 16-2.5-102.
(b) "TAMPERING" HAS THE SAME MEANING AS SET FORTH IN SECTION 17-1-102 (8.5).".".

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

SB17-005 by Senator(s) Holbert; also Representative(s) Neville P.--Concerning handgun safety training courses for school employees, and, in connection therewith, permitting certain school employees to carry concealed handguns in public schools.

Laid over until Friday, February 3, retaining its place on the calendar.

SB17-043 by Senator(s) Moreno and Hill; also Representative(s) Pabon and Neville P.--Concerning eliminating the requirement for a medical certificate for drivers of personal vehicles who provide transportation services for transportation network companies.

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

SB17-008 by Senator(s) Hill; also Representative(s) Lebsock--Concerning legalizing certain knives.

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

SB17-025 by Senator(s) Holbert and Baumgardner; also Representative(s) Singer--Concerning the development of marijuana education materials.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, January 26, page 73 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Holbert.

Amend printed bill, page 2, line 5, after "(1)" insert "(a)".

Page 2, after line 9 insert:

"(b) THE RESOURCE BANK CREATED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION MAY BE KNOWN AS THE "JACK SPLIT MEMORIAL MARIJUANA RESOURCE BANK".".

Amendment No. 3(L.004), by Senator Holbert.

Amend the Business, Labor, & Technology Committee Report, dated January 25, 2017, page 1, line 3, strike "CURRICULA."." and substitute "CURRICULA. IN CREATING THE RESOURCE BANK AND CURRICULA, THE DEPARTMENT SHALL SOLICIT INPUT FROM PERSONS LICENSED PURSUANT TO ARTICLES 43.3 AND 43.4 OF TITLE 12.".".

Amendment No. 4(L.005), by Senator Holbert.

Amend printed bill, page 2, after line 17 insert:

"(3) AFTER THE RESOURCE BANK AND CURRICULA ARE AVAILABLE, SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOARDS OF COOPERATIVE SERVICES ARE ENCOURAGED TO REPORT TO THE DEPARTMENT ON THE EFFECTIVENESS OF THE RESOURCE BANK AND CURRICULA AND TO RECOMMEND CHANGES TO IMPROVE THE RESOURCE BANK OR CURRICULA. THE DEPARTMENT IS ENCOURAGED TO UPDATE THE RESOURCE BANK AND CURRICULA BASED ON RECOMMENDATIONS FROM SCHOOL DISTRICTS, CHARTER SCHOOLS, AND BOARDS OF COOPERATIVE SERVICES.".

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

SB17-001 by Senator(s) Neville T., Cooke, Crowder, Gardner, Grantham, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Smallwood, Sonnenberg; also Representative(s) Neville P.--Concerning methods to alleviate the fiscal impact of state regulations on small businesses, and, in connection therewith, enacting the "Regulatory Relief Act of 2017".

Amendment No. 1(L.004), by Senator Kerr.

Amend printed bill, page 4, after line 10, insert:

"(e) RULES ADOPTED BY THE SECRETARY OF STATE RELATING TO THE REGULATION OF LOBBYISTS PURSUANT TO PART 3 OF ARTICLE 6 OF TITLE 24;".

Reletter succeeding paragraphs accordingly.

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

SB17-016 by Senator(s) Neville T. and Jahn; also Representative(s) Nordberg--Concerning the optional creation of a child protection team by a county.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 26, page 74 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 Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-031 as amended, SB17-034, SB17-048 as amended, SB17-043, SB17-008, SB17-025 as amended, SB17-001 as amended, SB17-016 as amended.
Laid over until Friday, February 3: SB17-005.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, January 31, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

21st Legislative Day Tuesday, January 31, 2017

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

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

Roll Call — Present--33
Excused--2, Martinez Humenik, Sonnenberg.
Present later--1, Martinez Humenik.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Monday, January 30, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-017** 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, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 25-1.5-106, **amend** (2)(a.5)(II), (2)(a.5)(III), (2)(d.5) introductory portion, (3)(a)(VI), (5) introductory portion, (5)(b), (5)(d)(III), (5)(d)(IV), (9)(a), (9)(b), (12)(b)(VII), (14), and (16)(a); and **add** (2)(a.7), (2)(d.3), and (2.5) as follows:

25-1.5-106. Medical marijuana program - powers and duties of state health agency - rules - medical review board - medical marijuana program cash fund - subaccount - created - repeal. (2) **Definitions.** In addition to the definitions set forth in section 14 (1) of article XVIII of the state constitution, as used in this section, unless the context otherwise requires:

(a.5) "Bona fide physician-patient relationship", for purposes of the medical marijuana program, means:

(II) The physician has consulted with the patient with respect to the patient's debilitating medical condition OR DISABLING MEDICAL CONDITION before the patient applies for a registry identification card; and

(III) The physician is available to or offers to provide follow-up care and treatment to the patient, including patient examinations, to determine the efficacy of the use of medical marijuana as a treatment of the patient's debilitating medical condition OR DISABLING MEDICAL CONDITION.

(a.7) "DISABLING MEDICAL CONDITION" MEANS ACUTE STRESS DISORDER OR POST-TRAUMATIC STRESS DISORDER.

(d.3) "PATIENT" MEANS A PERSON WHO HAS A DEBILITATING MEDICAL CONDITION OR DISABLING MEDICAL CONDITION.

(d.5) "Primary caregiver" means a natural person, other than the patient or the patient's physician, who is eighteen years of age or older and has significant responsibility for managing the well-being of a patient who has a debilitating medical condition OR DISABLING MEDICAL

CONDITION. A primary caregiver may have one or more of the following relationships:

(2.5) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (2.5)(h) AND (2.5)(i) OF THIS SECTION AND SECTION 18-18-406.3, A PATIENT WITH A DISABLING MEDICAL CONDITION OR HIS OR HER PRIMARY CAREGIVER CHARGED WITH A VIOLATION OF THE STATE'S CRIMINAL LAWS RELATED TO THE PATIENT'S MEDICAL USE OF MARIJUANA WILL BE DEEMED TO HAVE ESTABLISHED AN AFFIRMATIVE DEFENSE TO SUCH ALLEGATION WHERE:

(I) THE PATIENT WAS PREVIOUSLY DIAGNOSED BY A PHYSICIAN AS HAVING A DISABLING MEDICAL CONDITION;

(II) THE PATIENT WAS ADVISED BY HIS OR HER PHYSICIAN, IN THE CONTEXT OF A BONA FIDE PHYSICIAN-PATIENT RELATIONSHIP, THAT THE PATIENT MIGHT BENEFIT FROM THE MEDICAL USE OF MARIJUANA IN CONNECTION WITH A DISABLING MEDICAL CONDITION; AND

(III) THE PATIENT AND HIS OR HER PRIMARY CAREGIVER WERE COLLECTIVELY IN POSSESSION OF AMOUNTS OF MARIJUANA ONLY AS PERMITTED UNDER THIS SECTION.

(b) THE AFFIRMATIVE DEFENSE IN SUBSECTION (2.5)(a) OF THIS SECTION DOES NOT EXCLUDE THE ASSERTION OF ANY OTHER DEFENSE WHERE A PATIENT OR PRIMARY CAREGIVER IS CHARGED WITH A VIOLATION OF STATE LAW RELATED TO THE PATIENT'S MEDICAL USE OF MARIJUANA.

(c) IT IS AN EXCEPTION FROM THE STATE'S CRIMINAL LAWS FOR ANY PATIENT WITH A DISABLING MEDICAL CONDITION OR HIS OR HER PRIMARY CAREGIVER IN LAWFUL POSSESSION OF A REGISTRY IDENTIFICATION CARD TO ENGAGE OR ASSIST IN THE MEDICAL USE OF MARIJUANA, EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2.5)(h) OF THIS SECTION OR SECTION 18-18-406.3.

(d) IT IS AN EXCEPTION FROM THE STATE'S CRIMINAL LAWS FOR ANY PHYSICIAN TO:

(I) ADVISE A PATIENT WHOM THE PHYSICIAN HAS DIAGNOSED AS HAVING A DISABLING MEDICAL CONDITION ABOUT THE RISKS AND BENEFITS OF THE MEDICAL USE OF MARIJUANA OR THAT HE OR SHE MIGHT BENEFIT FROM THE MEDICAL USE OF MARIJUANA, PROVIDED THAT SUCH ADVICE IS BASED UPON THE PHYSICIAN'S CONTEMPORANEOUS ASSESSMENT OF THE PATIENT'S MEDICAL HISTORY AND CURRENT MEDICAL CONDITION AND A BONA FIDE PHYSICIAN-PATIENT RELATIONSHIP; OR

(II) PROVIDE A PATIENT WITH WRITTEN DOCUMENTATION, BASED UPON THE PHYSICIAN'S CONTEMPORANEOUS ASSESSMENT OF THE PATIENT'S MEDICAL HISTORY AND CURRENT MEDICAL CONDITION AND A BONA FIDE PHYSICIAN-PATIENT RELATIONSHIP, STATING THAT THE PATIENT HAS A DISABLING MEDICAL CONDITION AND MIGHT BENEFIT FROM THE MEDICAL USE OF MARIJUANA. NO PHYSICIAN SHALL BE DENIED ANY RIGHTS OR PRIVILEGES FOR THE ACTS AUTHORIZED BY THIS SECTION.

(e) NOTWITHSTANDING THE FOREGOING PROVISIONS, NO PERSON, INCLUDING A PATIENT WITH A DISABLING MEDICAL CONDITION OR HIS OR HER PRIMARY CAREGIVER, IS ENTITLED TO THE PROTECTION OF THIS SECTION FOR HIS OR HER ACQUISITION, POSSESSION, MANUFACTURE, PRODUCTION, USE, SALE, DISTRIBUTION, DISPENSING, OR TRANSPORTATION OF MARIJUANA FOR ANY USE OTHER THAN MEDICAL USE.

(f) ANY PROPERTY INTEREST THAT IS POSSESSED, OWNED, OR USED BY A PATIENT WITH A DISABLING MEDICAL CONDITION OR HIS OR HER PRIMARY CAREGIVER IN CONNECTION WITH THE MEDICAL USE OF MARIJUANA OR ACTS INCIDENTAL TO SUCH USE SHALL NOT BE HARMED, NEGLECTED, INJURED, OR DESTROYED WHILE IN THE POSSESSION OF STATE OR LOCAL LAW ENFORCEMENT OFFICIALS WHERE SUCH PROPERTY HAS BEEN SEIZED IN CONNECTION WITH THE CLAIMED MEDICAL USE OF MARIJUANA. ANY SUCH PROPERTY INTEREST SHALL NOT BE FORFEITED UNDER ANY PROVISION OF STATE LAW PROVIDING FOR THE FORFEITURE OF PROPERTY OTHER THAN AS A SENTENCE IMPOSED AFTER CONVICTION OF A CRIMINAL OFFENSE OR ENTRY OF A PLEA OF GUILTY TO SUCH OFFENSE. MARIJUANA AND PARAPHERNALIA SEIZED BY STATE OR LOCAL LAW ENFORCEMENT OFFICIALS FROM A PATIENT OR PRIMARY CAREGIVER IN CONNECTION WITH THE CLAIMED MEDICAL USE OF MARIJUANA MUST BE RETURNED IMMEDIATELY UPON THE DETERMINATION OF THE DISTRICT

ATTORNEY OR HIS OR HER DESIGNEE THAT THE PATIENT OR PRIMARY CAREGIVER IS ENTITLED TO THE PROTECTION CONTAINED IN THIS SECTION AS MAY BE EVIDENCED, FOR EXAMPLE, BY A DECISION NOT TO PROSECUTE, THE DISMISSAL OF CHARGES, OR ACQUITTAL.

(g) (I) A PATIENT WITH A DISABLING MEDICAL CONDITION MAY ENGAGE IN THE MEDICAL USE OF MARIJUANA, WITH NO MORE MARIJUANA THAN IS MEDICALLY NECESSARY TO ADDRESS A DISABLING MEDICAL CONDITION. THE MEDICAL USE OF MARIJUANA BY A PATIENT WITH A DISABLING MEDICAL CONDITION IS LAWFUL WITHIN THE FOLLOWING LIMITS:

(A) NO MORE THAN TWO OUNCES OF A USABLE FORM OF MARIJUANA; AND

(B) NO MORE THAN SIX MARIJUANA PLANTS, WITH THREE OR FEWER BEING MATURE, FLOWERING PLANTS THAT ARE PRODUCING A USABLE FORM OF MARIJUANA.

(II) FOR QUANTITIES OF MARIJUANA IN EXCESS OF THESE AMOUNTS, A PATIENT OR HIS OR HER PRIMARY CAREGIVER MAY RAISE AS AN AFFIRMATIVE DEFENSE TO CHARGES OF VIOLATION OF STATE LAW THAT SUCH GREATER AMOUNTS WERE MEDICALLY NECESSARY TO ADDRESS THE PATIENT'S DISABLING MEDICAL CONDITION.

(h) (I) NO PATIENT WITH A DISABLING MEDICAL CONDITION SHALL:

(A) ENGAGE IN THE MEDICAL USE OF MARIJUANA IN A WAY THAT ENDANGERS THE HEALTH OR WELL-BEING OF ANY PERSON; OR

(B) ENGAGE IN THE MEDICAL USE OF MARIJUANA IN PLAIN VIEW OF, OR IN A PLACE OPEN TO, THE GENERAL PUBLIC.

(II) IN ADDITION TO ANY OTHER PENALTIES PROVIDED BY LAW, THE STATE HEALTH AGENCY SHALL REVOKE FOR A PERIOD OF ONE YEAR THE REGISTRY IDENTIFICATION CARD OF ANY PATIENT FOUND TO HAVE WILLFULLY VIOLATED THE PROVISIONS OF THIS SECTION.

(i) NOTWITHSTANDING THE PROVISIONS OF THIS SUBSECTION (2.5), NO PATIENT WITH A DISABLING MEDICAL CONDITION UNDER EIGHTEEN YEARS OF AGE SHALL ENGAGE IN THE MEDICAL USE OF MARIJUANA UNLESS:

(I) TWO PHYSICIANS HAVE DIAGNOSED THE PATIENT AS HAVING A DISABLING MEDICAL CONDITION;

(II) ONE OF THE PHYSICIANS REFERRED TO IN SUBSECTION (2.5)(i)(I) OF THIS SECTION HAS EXPLAINED THE POSSIBLE RISKS AND BENEFITS OF THE MEDICAL USE OF MARIJUANA TO THE PATIENT AND EACH OF THE PATIENT'S PARENTS RESIDING IN COLORADO;

(III) THE PHYSICIAN REFERRED TO IN SUBSECTION (2.5)(i)(II) OF THIS SECTION HAS PROVIDED THE PATIENT WITH THE WRITTEN DOCUMENTATION SPECIFYING THAT THE PATIENT HAS BEEN DIAGNOSED WITH A DISABLING MEDICAL CONDITION AND THE PHYSICIAN HAS CONCLUDED THAT THE PATIENT MIGHT BENEFIT FROM THE MEDICAL USE OF MARIJUANA;

(IV) EACH OF THE PATIENT'S PARENTS RESIDING IN COLORADO CONSENT IN WRITING TO THE STATE HEALTH AGENCY TO PERMIT THE PATIENT TO ENGAGE IN THE MEDICAL USE OF MARIJUANA;

(V) A PARENT RESIDING IN COLORADO CONSENTS IN WRITING TO SERVE AS THE PATIENT'S PRIMARY CAREGIVER;

(VI) A PARENT SERVING AS A PRIMARY CAREGIVER COMPLETES AND SUBMITS AN APPLICATION FOR A REGISTRY IDENTIFICATION CARD AND THE WRITTEN CONSENTS REFERRED TO IN SUBSECTIONS (2.5)(i)(IV) AND (2.5)(i)(V) OF THIS SECTION TO THE STATE HEALTH AGENCY;

(VII) THE STATE HEALTH AGENCY APPROVES THE PATIENT'S APPLICATION AND TRANSMITS THE PATIENT'S REGISTRY IDENTIFICATION CARD TO THE PARENT DESIGNATED AS A PRIMARY CAREGIVER;

(VIII) THE PATIENT AND PRIMARY CAREGIVER COLLECTIVELY POSSESS AMOUNTS OF MARIJUANA NO GREATER THAN THOSE SPECIFIED IN SUBSECTION (2.5)(g) OF THIS SECTION; AND

(IX) THE PRIMARY CARE-GIVER CONTROLS THE ACQUISITION OF SUCH MARIJUANA AND THE DOSAGE AND FREQUENCY OF ITS USE BY THE PATIENT WITH A DISABLING MEDICAL CONDITION.

(3) **Rule-making.** (a) The state health agency shall, pursuant to section 14 of article XVIII of the state constitution, promulgate rules of administration concerning the implementation of the medical marijuana

program that specifically govern the following:

(VI) Communications with law enforcement officials about registry identification cards that have been suspended when a patient is no longer diagnosed as having a debilitating medical condition OR DISABLING MEDICAL CONDITION;

(5) **Physicians.** A physician who certifies a debilitating medical condition OR DISABLING MEDICAL CONDITION for an applicant to the medical marijuana program shall comply with all of the following requirements:

(b) After a physician, who has a bona fide physician-patient relationship with the patient applying for the medical marijuana program, determines, for the purposes of making a recommendation, that the patient has a debilitating medical condition OR DISABLING MEDICAL CONDITION and that the patient may benefit from the use of medical marijuana, the physician shall certify to the state health agency that the patient has a debilitating medical condition OR DISABLING MEDICAL CONDITION and that the patient may benefit from the use of medical marijuana. If the physician certifies that the patient would benefit from the use of medical marijuana based on a chronic or debilitating disease or medical condition OR DISABLING MEDICAL CONDITION, the physician shall specify the chronic or debilitating disease or medical condition OR DISABLING MEDICAL CONDITION and, if known, the cause or source of the chronic or debilitating disease or medical condition OR DISABLING MEDICAL CONDITION.

(d) A physician shall not:

(III) Examine a patient for purposes of diagnosing a debilitating medical condition OR A DISABLING MEDICAL CONDITION at a location where medical marijuana is sold or distributed; or

(IV) Hold an economic interest in an enterprise that provides or distributes medical marijuana if the physician certifies the debilitating medical condition OR DISABLING MEDICAL CONDITION of a patient for participation in the medical marijuana program.

(9) **Registry identification card required - denial - revocation - renewal.** (a) A PERSON WITH A DISABLING MEDICAL CONDITION MAY APPLY TO THE STATE HEALTH AGENCY FOR A REGISTRY IDENTIFICATION CARD. To be considered in compliance with the provisions of section 14 of article XVIII of the state constitution, this section, and the rules of the state health agency, a patient or primary caregiver shall have his or her registry identification card in his or her possession at all times that he or she is in possession of any form of medical marijuana and produce the same upon request of a law enforcement officer to demonstrate that the patient or primary caregiver is not in violation of the law; except that, if more than thirty-five days have passed since the date the patient or primary caregiver filed his or her medical marijuana program application and the state health agency has not yet issued or denied a registry identification card, a copy of the patient's or primary caregiver's application along with proof of the date of submission shall be in the patient's or primary caregiver's possession at all times that he or she is in possession of any form of medical marijuana until the state health agency issues or denies the registry identification card. A person who violates section 14 of article XVIII of the state constitution, this section, or the rules promulgated by the state health agency may be subject to criminal prosecution for violations of section 18-18-406. ~~C.R.S.~~

(b) The state health agency may deny a patient's or primary caregiver's application for a registry identification card or revoke the card if the state health agency, in accordance with article 4 of title 24, ~~C.R.S.~~, determines that the physician who diagnosed the patient's debilitating medical condition OR DISABLING MEDICAL CONDITION, the patient, or the primary caregiver violated section 14 of article XVIII of the state constitution, this section, or the rules promulgated by the state health agency pursuant to this section; except that, when a physician's violation is the basis for adverse action, the state health agency may only deny or revoke a patient's application or registry identification card when the physician's violation is related to the issuance of a medical marijuana recommendation.

(12) **Use of medical marijuana.** (b) A patient or primary caregiver shall not:

(VII) Use medical marijuana if the person does not have a debilitating medical condition OR DISABLING MEDICAL CONDITION as diagnosed by the person's physician in the course of a bona fide physician-patient relationship and for which the physician has recommended the use of medical marijuana.

(14) **Affirmative defense.** If a patient or primary caregiver raises an affirmative defense as provided in section 14 (4)(b) of article XVIII of the state constitution OR SUBSECTION (2.5)(g)(II) OF THIS SECTION, the patient's physician shall certify the specific amounts in excess of two ounces that are necessary to address the patient's debilitating medical condition OR DISABLING MEDICAL CONDITION and why such amounts are necessary. A patient who asserts this affirmative defense shall waive confidentiality privileges related to the condition or conditions that were the basis for the recommendation. If a patient, primary caregiver, or physician raises an exception to the state criminal laws as provided in section 14 (2)(b) or (2)(c) of article XVIII of the state constitution OR SUBSECTION (2.5)(c) OR (2.5)(d) OF THIS SECTION, the patient, primary caregiver, or physician waives the confidentiality of his or her records related to the condition or conditions that were the basis for the recommendation maintained by the state health agency for the medical marijuana program. Upon request of a law enforcement agency for such records, the state health agency shall only provide records pertaining to the individual raising the exception, and shall redact all other patient, primary caregiver, or physician identifying information.

(16) **Fees.** (a) The state health agency may collect fees from patients who, pursuant to section 14 of article XVIII of the state constitution OR SUBSECTION (9) OF THIS SECTION, apply to the medical marijuana program for a registry identification card for the purpose of offsetting the state health agency's direct and indirect costs of administering the program. The amount of the fees shall be set by rule of the state health agency. The amount of the fees set pursuant to this section shall reflect the actual direct and indirect costs of the state licensing authority in the administration and enforcement of this article so that the fees avoid exceeding the statutory limit on uncommitted reserves in administrative agency cash funds as set forth in section 24-75-402 (3). ~~C.R.S.~~ The state health agency shall not assess a medical marijuana registry application fee to an applicant who demonstrates, pursuant to a copy of the applicant's state tax return certified by the department of revenue, that the applicant's income does not exceed one hundred eighty-five percent of the federal poverty line, adjusted for family size. All fees collected by the state health agency through the medical marijuana program shall be transferred to the state treasurer who shall credit the same to the medical marijuana program cash fund, which fund is hereby created.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

SENATE SERVICES REPORT

Correctly Engrossed: SB17-001, 008, 016, 024, 025, 031, 034, 043, 048, and 058; SJR17-007.
Correctly Reengrossed: SB17-013, 018, 020, and 046.
Correctly Revised: HB17-1005, 1006, 1007, 1008, 1009, 1010, 1011, and 1012.
Correctly Enrolled: SJR17-002.

MESSAGE FROM THE HOUSE

January 20, 2017

Mr. President:

The House has adopted and returns herewith SJR17-007.

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

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

SB17-024 by Senator(s) Fields; also Representative(s) Young--Concerning the hearsay exception for persons with an intellectual and developmental disability when a defendant is charged with a crime against an at-risk person.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	E	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Crowder, Fenberg, Gardner, Grantham, Guzman, Hill, Jahn, Jones, Kefalas, Kerr, Marble, Merrifield, Moreno, Priola, Scott, Todd, and Williams A.

SB17-058 by Senator(s) Baumgardner; also Representative(s) Singer--Concerning the authority of certain individuals to purchase alcohol beverages for a premises licensed to sell alcohol beverages for consumption on the licensed premises.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	E	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Fields, Grantham, Holbert, Jones, Kerr, Marble, Moreno, Neville T., Priola, Scott, Smallwood, Todd, and Williams A.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills Calendar (SB17-031, SB17-034, SB17-048, SB17-043, SB17-008, SB17-025, SB17-001, SB17-016) of Tuesday, January 31, was laid over until Wednesday, February 1, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Hill was called to act as Chair.

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

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

SB17-030 by Senator(s) Baumgardner, Moreno, Sonnenberg; also Representative(s) Esgar--Concerning the exemption from the schedules of controlled substances any anabolic steroid that is administered through injection into nonhuman species.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. (Printed in Senate Journal, January 27, page 81 and placed in members' bill files.)

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

SB17-052 by Senator(s) Kerr, Moreno, Tate; also Representative(s) Thurlow, Arndt--Concerning recommendations related to title 22 from the department of education to the statutory revision committee.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-030 as amended, SB17-052.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-060 by Senator(s) Todd, Martinez Humenik; also Representative(s) Wilson--Concerning relocation of the Colorado student leaders institute from the office of the lieutenant governor to the department of higher education.

Amendment No. 1, Education Committee Amendment. (Printed in Senate Journal, January 27, page(s) 81-82 and placed in members' bill files.)

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

SB17-065 by Senator(s) Lundberg, Aguilar; --Concerning a requirement that health care providers disclose the charges they impose for common health care services when payment is made directly rather than by a third party.

Laid over until Friday, February 3, retaining its place on the calendar.

SB17-011 by Senator(s) Lambert, Lundberg; also Representative(s) Lawrence, Hamner, Rankin, Young--Concerning the creation of a technical demonstration forum to study solutions to improve transportation access for people with disabilities.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 27, page 83 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 Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-060 as amended, SB17-011 as amended.
Laid over until Friday, February 3: SB17-065.

CONSIDERATION OF RESOLUTIONS

HJR17-1004 by Representative(s) Mitsch Bush, Arndt, Becker J.; also Senator(s) Baumgardner, Sonnenberg--Concerning funding for the prevention of aquatic nuisance species in Colorado.

Laid over until Wednesday, February 1, retaining its place on the calendar.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

January 31, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1005, 1019, 1010, 1006, 1020, 1024, 1017, 1018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1030 amended as printed in House Journal, Tuesday, January 31, 2017.
HB17-1058 amended as printed in House Journal, Tuesday, January 31, 2017.
HB17-1050 amended as printed in House Journal, Tuesday, January 31, 2017.
HB17-1046 amended as printed in House Journal, Tuesday, January 31, 2017.
HB17-1060 amended as printed in House Journal, Tuesday, January 31, 2017.
HB17-1047 amended as printed in House Journal, Tuesday, January 31, 2017.
HB17-1067 amended as printed in House Journal, Tuesday, January 31, 2017.
HB17-1014 amended as printed in House Journal, Tuesday, January 31, 2017.

The House has adopted and transmits herewith HJR17-1013, as printed in House Journal, Tuesday, January 31, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

January 31, 2017

We herewith transmit:

Without comment, HB17-1005, 1006, 1010, 1017, 1018, 1020, and 1024.
Without comment, as amended, HB17-1014, 1019, 1030, 1046, 1047, 1050, 1058, 1060, and 1067.

INTRODUCTION OF BILLS -- FIRST READING

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

SB17-129 by Senator(s) Sonnenberg; also Representative(s) Arndt and Becker J.--Concerning the electronic preservation of a plat recorded by a county clerk and recorder.
Local Government

SB17-130 by Senator(s) Priola; --Concerning alignment of the number of hours of practical experience required to register as a sprinkler fitter with the number of hours of practical experience required to become licensed as a journeyman plumber.
Business, Labor, & Technology

SB17-131 by Senator(s) Gardner; --Concerning the "Uniform Wage Garnishment Act".
Business, Labor, & Technology

SB17-132 by Senator(s) Gardner; also Representative(s) Wist--Concerning enactment of the "Revised Uniform Law on Notarial Acts" as amended.
Business, Labor, & Technology

SB17-133 by Senator(s) Tate; also Representative(s) Young--Concerning complaints by health care providers to the commissioner of insurance regarding the improper handling of benefit claims by health insurance carriers, and, in connection therewith, requiring additional reporting by the commissioner to the general assembly, requiring a determination by the commissioner of unfair or deceptive health insurance carrier practices, and imposing penalties.
Business, Labor, & Technology

SB17-134 by Senator(s) Tate; also Representative(s) Herod and Nordberg--Concerning the exclusion of certain areas of an alcohol beverage licensee's operation in the application of penalties for certain violations.
Business, Labor, & Technology

SB17-135 by Senator(s) Marble; also Representative(s) Lewis--Concerning the removal of the requirement that licensed chiropractors who are registered to perform animal chiropractic obtain a veterinary medical clearance by a licensed veterinarian before performing an act that falls within an animal chiropractor's scope of practice on an animal patient.
Agriculture, Natural Resources, & Energy

SB17-136 by Senator(s) Neville T. and Kagan, Marble, Holbert, Lundberg, Guzman, Williams A., Aguilar, Court, Crowder, Fenberg, Hill, Kerr, Lambert, Moreno, Priola, Sonnenberg, Tate, Todd; also Representative(s) Herod and Humphrey, Neville P., Leonard, Williams D., McKean, Melton, Coleman, Becker K., Esgar, Everett, Lebsock, Navarro, Pettersen, Ransom, Bridges--Concerning civil forfeiture reform.
Judiciary

SB17-137 by Senator(s) Todd and Merrifield; --Concerning the continuation of the Colorado health service corps advisory council.
Education

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.
State, Veterans, & Military Affairs

SB17-139 by Senator(s) Hill and Williams A.; also Representative(s) Pabon--Concerning the extension of the credit for tobacco products that a distributor ships or transports to an out-of-state consumer.
Finance

SB17-140 by Senator(s) Sonnenberg; also Representative(s) Arndt and Becker J.--Concerning the Torrens title registration system.
Local Government

SB17-141 by Senator(s) Aguilar; also Representative(s) Herod--Concerning allowing low-risk sex offenders to receive required sex offender treatment in a community-based program.
Judiciary

SB17-142 by Senator(s) Williams A., Donovan, Fields, Garcia, Kerr, Martinez Humenik, Moreno, Todd; also Representative(s) Danielson, Benavidez, Buckner, Coleman, Exum, Herod, Jackson, McLachlan, Melton, Michaelson Jenet, Pettersen, Salazar, Singer, Winter--Concerning the requirement to include notification to a patient regarding the patient's breast tissue classification with the required mammography report.
Health & Human Services

SB17-143 by Senator(s) Williams A., Court, Fenberg, Hill, Kagan, Kerr, Tate, Todd; also Representative(s) Nordberg and Garnett--Concerning the retail sale of alcohol beverages.
Business, Labor, & Technology

SB17-144 by Senator(s) Hill and Zenzinger, Gardner, Merrifield, Neville T., Priola, Todd; --Concerning the recommended continuation of the education data advisory committee by the director of the division of professions and occupations in the department of regulatory agencies.
Education

SB17-145 by Senator(s) Fenberg; also Representative(s) Foote--Concerning modifications to the electric utility resource acquisition process, and, in connection therewith, promoting a more resilient, reliable, and cost-effective electrical grid through enhanced planning and data transparency.
Agriculture, Natural Resources, & Energy

SB17-146 by Senator(s) Jahn; also Representative(s) Ginal--Concerning access to the electronic prescription drug monitoring program.
Health & Human Services

SB17-147 by Senator(s) Fenberg, Donovan, Jones, Kagan, Kerr, Moreno; --Concerning information relating to employee eligibility for student loan repayment programs.
State, Veterans, & Military Affairs

SB17-148 by Senator(s) Priola, Kerr; also Representative(s) Garnett--Concerning the continuation of the office of boxing in the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies.
Business, Labor, & Technology

SB17-149 by Senator(s) Kagan, Priola; --Concerning the option for a taxpayer to specify multiple methods by which to receive an income tax refund.
Finance

SB17-150 by Senator(s) Kerr; --Concerning restrictions on the employment of relatives by public officials.
State, Veterans, & Military Affairs

SB17-151 by Senator(s) Crowder, Kefalas; also Representative(s) Ginal--Concerning changes in the requirements for the coverage of health care benefits to allow for increased consumer access to health care services.
Business, Labor, & Technology

SB17-152 by Senator(s) Court; --Concerning the implementation of voter-approved changes to the Colorado constitution that make it more difficult to amend the state constitution, and, in connection therewith, prohibiting a petition for an initiated amendment to the state constitution from being submitted to voters unless the petition is signed by the constitutionally required number of registered electors who reside in each state senate district and total number of registered electors, and requiring at least fifty-five percent of the votes cast on any amendment to the state constitution to adopt the amendment unless the amendment only repeals in whole or in part a provision of the state constitution, in which case requiring a majority of the votes cast on the amendment to adopt the amendment.
State, Veterans, & Military Affairs

SB17-153 by Senator(s) Garcia and Crowder, Kefalas; also Representative(s) Esgar, Bridges, Rosenthal--Concerning establishment of the southwest chief and front range passenger rail commission to oversee the preservation and expansion of Amtrak southwest chief rail service in Colorado and facilitate the development and operation of a front range passenger rail system that provides passenger rail service in and along the interstate 25 corridor.
Local Government
Finance

SB17-154 by Senator(s) Gardner; also Representative(s) Wist--Concerning the "Uniform Unsworn Declarations Act".
Judiciary

HB17-1005 by Representative(s) Arndt, Thurlow; also Senator(s) Tate, Kerr, Moreno--Concerning modernization of various laws relating to the office of the state auditor.
State, Veterans, & Military Affairs

HB17-1006 by Representative(s) Foote; also Senator(s) Kagan--Concerning the authorization of a process to correct statutory citations contained in executive branch agency rules published in the code of Colorado regulations without the requirement to follow rule-making procedures.
State, Veterans, & Military Affairs

HB17-1010 by Representative(s) Ginal; also Senator(s) Crowder--Concerning the authority of the Colorado dental board to promulgate rules based on clarifications to existing laws that relate to collaborative dental agreements.
Health & Human Services

HB17-1014 by Representative(s) Rosenthal and Williams D.; also Senator(s) Hill and Donovan--Concerning the elimination of the criminal penalty imposed upon an elector for disclosing the contents of the elector's voted ballot.
State, Veterans, & Military Affairs

HB17-1017 by Representative(s) Kennedy; also Senator(s) Baumgardner and Jahn--Concerning county surveyors.
Local Government

HB17-1018 by Representative(s) Mitsch Bush and Liston; also Senator(s) Gardner--Concerning extension of the authorization for a regional transportation authority to seek voter approval for a uniform mill levy on all taxable property within its territory.
Local Government

HB17-1019 by Representative(s) Valdez; also Senator(s) Coram--Concerning the amounts collected by a county treasurer upon redemption of specified property interests from a tax sale.
Finance

HB17-1020 by Representative(s) Singer, Lee; also Senator(s) Martinez Humenik--Concerning ongoing staffing for the task force concerning treatment of persons with mental illness in the criminal and juvenile justice systems.
Health & Human Services

HB17-1024 by Representative(s) Thurlow, Arndt; also Senator(s) Moreno, Holbert, Kerr, Tate--Concerning the nonsubstantive relocation of laws pertaining to the commission on family medicine.
Health & Human Services

HB17-1030 by Representative(s) Arndt and Becker J., Coram; also Senator(s) Sonnenberg and Baumgardner--Concerning updates to the 1921 law governing irrigation districts.
Agriculture, Natural Resources, & Energy

HB17-1046 by Representative(s) Lebsock; also Senator(s) Donovan--Concerning updating statutory references to certain limited outdated terms relating to people with disabilities.
Health & Human Services

HB17-1047 by Representative(s) Thurlow, Arndt; also Senator(s) Tate, Kerr, Moreno--Concerning the scheduled repeal of reports by the department of local affairs to the general assembly.
Local Government

HB17-1050 by Representative(s) McKean; also Senator(s) Kagan--Concerning the annual in-service training required for a county sheriff.
Judiciary

HB17-1058 by Representative(s) Thurlow, Arndt; also Senator(s) Kerr, Moreno, Tate--Concerning the scheduled repeal of reports by the department of personnel to the general assembly.
Business, Labor, & Technology

HB17-1060 by Representative(s) Thurlow, Arndt; also Senator(s) Tate, Kerr, Moreno--Concerning the scheduled repeal of reports by the department of health care policy and financing to the general assembly.
Health & Human Services

HB17-1067 by Representative(s) Thurlow, Arndt; also Senator(s) Kerr, Moreno, Tate--Concerning updating references to a national standard setting forth technical criteria for accessible housing.
Local Government

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR17-007.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, February 1, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

22nd Legislative Day Wednesday, February 1, 2017

Prayer — By Senator Lambert.

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

Roll Call — Present--32
Excused--3, Jones, Kagan, Sonnenberg.
Present later--3, Jones, Kagan, Sonnenberg.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Tuesday, January 31, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

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

MEMBERS OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for terms expiring September 1, 2020:

Tyson Lynn Worrell of Lakewood, Colorado, to serve as a representative of full-time paid police officers, reappointed;

Adilberto Antonio “Guy” Torres III of Littleton, Colorado, to serve as a member of the state's financial or business community with experience in investments, appointed.

Trans-portation — After consideration on the merits, the Committee recommends that **SB17-059** be referred to the Committee of the Whole with favorable recommendation.

Trans-portation — After consideration on the merits, the Committee recommends that **SB17-014** 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 **SB17-007** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB17-038** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 2, after line 24 insert:

"(II) ANY PERSON ACTING ON BEHALF OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OR A STATE OR LOCAL HOUSING AUTHORITY;".

Renumber succeeding subparagraphs accordingly.

SENATE SERVICES REPORT

Correctly Printed: SB17-129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, and 154.
Correctly Engrossed: SB17-011, 030, 052, and 060.
Correctly Reengrossed: SB17-024 and 058.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

HJR17-1004 by Representative(s) Mitsch Bush, Arndt, Becker J.; also Senator(s) Baumgardner, Sonnenberg--Concerning funding for the prevention of aquatic nuisance species in Colorado.

On motion of Senator Baumgardner, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Tate, Todd, Williams A., and Zenzinger.

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

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

SB17-030 by Senator(s) Baumgardner, Moreno, Sonnenberg; also Representative(s) Esgar--Concerning the exemption from the schedules of controlled substances any anabolic steroid that is administered through injection into nonhuman species.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Coram, Crowder, Donovan, Fields, Grantham, Holbert, Lambert, Lundberg, Marble, Merrifield, Neville T., Scott, Tate, Todd, and Williams A.

SB17-052 by Senator(s) Kerr, Moreno, Tate; also Representative(s) Thurlow, Arndt--Concerning recommendations related to title 22 from the department of education to the statutory revision committee.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Court, Holbert, Kagan, Merrifield, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB17-031 by Senator(s) Tate, Kerr, Moreno; also Representative(s) Arndt, Thurlow--Concerning the scheduled repeal of reports by the department of corrections to the general assembly.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Fields, Grantham, Holbert, Jahn, Kagan, Lambert, Lundberg, Martinez Humenik, Priola, and Scott.

SB17-034 by Senator(s) Jones and Lundberg, Kefalas; also Representative(s) Foote and McKean--Concerning extension of the period following the declaration by the governor of a disaster emergency in a county within which the board of county commissioners of the county may transfer county general fund money to the county road and bridge fund for the purposes of disaster response and recovery.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Hill, Holbert, Jahn, Kagan, Kerr, Lambert, Marble, Martinez Humenik, Merrifield, Neville T., Scott, Smallwood, Sonnenberg, Todd, Williams A., and Zenzinger.

SB17-048 by Senator(s) Cooke; also Representative(s) Willett--Concerning requiring an officer to arrest an offender who escapes from an intensive supervision program in the department of corrections.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Gardner, Grantham, Holbert, Lambert, Lundberg, Martinez Humenik, and Scott.

SB17-043 by Senator(s) Moreno and Hill; also Representative(s) Pabon and Neville P.--Concerning eliminating the requirement for a medical certificate for drivers of personal vehicles who provide transportation services for transportation network companies.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Fields, Grantham, Holbert, Jahn, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Scott, and Sonnenberg.

SB17-008 by Senator(s) Hill; also Representative(s) Lebsock--Concerning legalizing certain knives.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Holbert, Lambert, Lundberg, Marble, Neville T., Priola, Scott, and Sonnenberg.

SB17-025 by Senator(s) Holbert and Baumgardner; also Representative(s) Singer--Concerning the development of marijuana education materials.

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

Third Reading Amendment No. 1(L.006) , by Majority Leader Holbert.

Amend engrossed bill, page 2, strike lines 13 and 14 and substitute:
"DEPARTMENT SHALL SOLICIT INPUT FROM PERSONS BOTH INSIDE AND OUTSIDE OF THE MARIJUANA INDUSTRY.".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Crowder, Donovan, Garcia, Hill, Jahn, Jones, Kagan, Kefalas, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Tate, Todd, and Williams A.

SB17-001 by Senator(s) Neville T., Cooke, Crowder, Gardner, Grantham, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Smallwood, Sonnenberg; also Representative(s) Neville P.--Concerning methods to alleviate the fiscal impact of state regulations on small businesses, and, in connection therewith, enacting the "Regulatory Relief Act of 2017".

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Hill, Jahn, Martinez Humenik, Tate, and Williams A.

SB17-016 by Senator(s) Neville T. and Jahn; also Representative(s) Nordberg--Concerning the optional creation of a child protection team by a county.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Court, Crowder, Garcia, Grantham, Guzman, Holbert, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Priola, Scott, Smallwood, Todd, Williams A., and Zenzinger.

SB17-060 by Senator(s) Todd, Martinez Humenik; also Representative(s) Wilson--Concerning relocation of the Colorado student leaders institute from the office of the lieutenant governor to the department of higher education.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Court, Holbert, Kerr, and Merrifield.

SB17-011 by Senator(s) Lambert, Lundberg; also Representative(s) Lawrence, Hamner, Rankin, Young--Concerning the creation of a technical demonstration forum to study solutions to improve transportation access for people with disabilities.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Tate, Todd, and Zenzinger.

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR17-008 by Senator(s) Aguilar; also Representative(s) Lontine--Concerning the designation of a bridge that crosses South Raleigh Street in Denver on Colorado State Highway 285 as the "SSG Jordan L. Bear Memorial Bridge".

Laid over until Wednesday, March 1, retaining its place on the calendar.

SJR17-009 by Senator(s) Gardner and Kefalas; also Representative(s) Arndt and Rankin--Concerning awareness day for individuals with intellectual and developmental disabilities.

Laid over until Wednesday, February 15, retaining its place on the calendar.

SJR17-010 by Senator(s) Sonnenberg; --Concerning the designation of February 4 as "Missing Persons Day" in Colorado.

Laid over until Friday, February 3, retaining its place on the calendar.

SJR17-011 by Senator(s) Donovan and Martinez Humenik; also Representative(s) Hooton and Beckman--Concerning awareness of heart disease, and, in connection therewith, declaring February 3, 2017, as "National Wear Red Day".

Laid over until Friday, February 3, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

SB17-156 by Senator(s) Hill; also Representative(s) Wist and Saine--Concerning prerequisites to the authority of a unit owners' association to pursue resolution of disputes involving construction defects.
Business, Labor, & Technology

TRIBUTES

Honoring:

Mr. Bill Webster -- By Senator Jerry Sonnenberg and Representative Jeni James Arndt.
Dale McCall --By Senator Jerry Sonnenberg and Representative Jeni James Arndt.
Bill Markham -- By Senator Jerry Sonnenberg and Representative Jeni James Arndt.
Charlie Bartlett -- By Senator Jerry Sonnenberg and Representative Jeni James Arndt.
Marc Arnusch -- By Senator Jerry Sonnenberg and Representative Jeni James Arndt.
Christiania Lodge -- By Senator Kerry Donovan.
Dee Dowis -- By Senators Kent Lambert, Bob Gardner, and Owen Hill.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, February 2, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

23rd Legislative Day Thursday, February 2, 2017

Prayer — By the chaplain, Reverend Dr. John Roberts, First Baptist Church of Sterling.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Wednesday, February 1, 2017, 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 **SB17-010** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-032** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-051** be amended as follows, and as so amended, be referred to the Committee on State, Veterans, & Military Affairs with favorable recommendation.

Amend printed bill, page 2, line 3, after "(1)(hh)," insert "(2)(j.5),".

Page 3, after line 19 insert:
"(j.5) Any court-ordered modification of the terms and conditions of probation as described in section 18-1.3-204 ~~C.R.S.~~ OR 19-2-925 and as outlined in section 24-4.1-303 (13.5)(a);".

Page 3, line 20, after "FULL" insert "PAROLE".

Page 5, line 4, after "FULL" insert "PAROLE".

Page 5, strike lines 13 through 24 and substitute "THE VICTIM OR THE VICTIM'S DESIGNEE SHALL NOTIFY THE COMMUNITY CORRECTIONS BOARD WITHIN A REASONABLE TIME THAT THE VICTIM IS UNAVAILABLE TO ATTEND THE PROCEEDING BUT WOULD LIKE TO MAKE A STATEMENT. WITHIN ITS RESOURCES, THE COMMUNITY CORRECTIONS BOARD SHALL ARRANGE FOR AND PROVIDE THE MEANS FOR THE VICTIM TO ADDRESS THE BOARD, WHICH MEANS MAY INCLUDE, BUT NEED NOT BE LIMITED TO, APPEARING BY PHONE OR VIA SIMILAR TECHNOLOGY.".

Renumber succeeding subparagraphs accordingly.

Page 6, line 16, after "(12)(g)," insert "(12)(h),".

Page 6, strike line 17 and substitute "(13.5)(a)(V), (13.5)(a)(VIII), (13.5)(a)(IX), (14)(c), (14)(d), (14)(h), (14.2) introductory portion, (14.2)(e),".

Page 6, line 19, after "(12)(g.5)," insert "(12)(j), (14)(j), (14)(k),".

Page 6, line 27, strike "CONSIDERED." and substitute "CONSIDERED AND STATE THE BASIS FOR THE COURT'S DECISION.".

Page 7, line 21, after "PROBATION." insert "FOR BOTH PROBATION REVOCATION HEARINGS AND REQUESTS FOR EARLY TERMINATION, IT IS THE RESPONSIBILITY OF THE PROBATION DEPARTMENT TO NOTIFY THE VICTIM IF THE VICTIM HAS REQUESTED POST-SENTENCING NOTIFICATION.".

Page 8, after line 5 insert:

"(h) The right to receive information from the probation department concerning information outlined in subsection (13.5) of this section regarding a person convicted of a crime against the victim; ~~and~~

(j) THE RIGHT TO BE INFORMED OF A REQUEST FOR PROGRESSION FOR A PERSON WHO IS CHARGED WITH OR CONVICTED OF A CRIME AGAINST THE VICTIM AND WHO IS IN THE CUSTODY OF THE STATE MENTAL HEALTH HOSPITAL.".

Page 8, line 14, after "SECTION 24-4.1-302.5 (1)(d)." insert "IF A HEARING IS NOT SCHEDULED AND THE COURT HAS REVIEWED A WRITTEN MOTION FOR EARLY TERMINATION OF PROBATION AND IS CONSIDERING GRANTING THE MOTION WITHOUT A HEARING, THE COURT SHALL INFORM THE PROBATION DEPARTMENT AND THE DISTRICT ATTORNEY'S OFFICE, AND THE PROBATION DEPARTMENT SHALL NOTIFY AND RECEIVE INPUT FROM THE VICTIM TO GIVE TO THE COURT BEFORE THE COURT RULES ON THE MOTION.".

Page 9, strike lines 13 through 27 and substitute:

"(IX) Any court-ordered modification of the terms and conditions of probation as described in section 18-1.3-204 ~~C.R.S.~~ OR 19-2-925.

(14) Upon receipt of a written victim impact statement as provided in section 24-4.1-302.5 (1)(j.5), the department of corrections shall include the statement with any referral made by the department of corrections or a district court to place an offender in a public or private community corrections facility or program. Upon written request of a victim, the department of corrections or the public or private local corrections authorities shall notify the victim of the following information regarding any person who was charged with or convicted of a crime against the victim:

(c) Any release of such person on furlough or work release or to a community correctional facility or other program, OR STATUTORY DISCHARGE in advance of such release;

(d) Any scheduled parole hearings OR FULL BOARD REVIEWS regarding ~~such~~ THE person and any changes in the scheduling of such hearings, INCLUDING NOTIFICATION OF THE VICTIM'S RIGHT TO BE PRESENT AND HEARD AT SUCH HEARINGS;

(h) The death of the person while in custody or while under the jurisdiction of the state of Colorado concerning the crime; ~~and~~

(j) ANY DECISION BY THE PAROLE BOARD OR ANY DECISION BY THE GOVERNOR TO COMMUTE THE SENTENCE OF THE PERSON OR PARDON THE PERSON; AND

(k) THE DATE, TIME, AND LOCATION OF A SCHEDULED EXECUTION.".

Strike pages 10 and 11.

Page 12, strike lines 1 and 2.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB17-079** be postponed indefinitely.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-056** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 1, strike "The" and substitute "NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the".

Page 3, line 8, strike "health AND" and substitute "health,".

Page 3, lines 8 and 9, strike "revenue. ~~and the general assembly.~~" and substitute "revenue, and the general assembly.".

Page 3, strike lines 24 through 27.

Strike page 4.

Page 5, strike line 1 and substitute:

"**SECTION 3.** In Colorado Revised Statutes, 25-3-603, **amend** (1) as follows:

25-3-603. Department reports. (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before ~~January 15, 2008,~~ JULY 15, 2017, and each ~~January~~ JULY 15 thereafter, the department shall submit to the health and human services committees of the house of representatives and of the senate a report summarizing the risk-adjusted health-facility data. The department shall post the report on its website.".

Page 7, strike lines 7 through 13.
Renumber succeeding sections accordingly.

Page 8, strike lines 10 through 19 and substitute:

"**SECTION 9.** In Colorado Revised Statutes, 25-17-405, **amend** (3)(b) as follows:

25-17-405. Paint stewardship program requirements - annual reports - customer information. (3) (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the executive director shall annually compile the results of the reports received pursuant to ~~paragraph (a) of this subsection (3)~~ SUBSECTION (3)(a) OF THIS SECTION into a general report describing the progress of the paint stewardship programs. The executive director shall annually present the report to the health and human services committee of the senate and the public health care and human services committee of the house of representatives, or their successor committees.".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-091** be referred to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB17-156; SJR17-008, 009, 010, and 011.
Correctly Reengrossed: SB17-001, 008, 011, 016, 025, 030, 031, 034, 043, 048, 052, and 060.
Correctly Revised: HJR17-1004.
Correctly Enrolled: SB17-007.

Committee of the Whole

On motion of Senator Fenberg, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Fenberg was called to act as Chair.

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

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

SB17-017 by Senator(s) Aguilar; also Representative(s) Singer--Concerning adding stress disorders to the list of debilitating medical conditions for the purposes of the use of medical marijuana.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, January 31, page(s) 101-105 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 -- CONSENT CALENDAR

On motion of Senator Fenberg, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-017 as amended.

MESSAGE FROM THE GOVERNOR

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

January 17, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for a term expiring October 1, 2020:

Steven D. Price of Denver, Colorado, a resident from within the city and county of Denver who has experience in planning and development of water projects, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/18/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

Upon request of Majority Leader Holbert, **SB17-017** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Friday, February 3, 2017 and was placed at the end of the Third Reading of Bills Final Passage Calendar of Friday, February 3, 2017.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, February 3, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

24th Legislative Day Friday, February 3, 2017

Prayer — By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order — By the President *pro tempore* at 9:00 a.m.

Roll Call — Present--33
Excused--2, Grantham, Tate.
Present later--2, Grantham, Tate.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Thursday, February 2, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

CHANGE IN SPONSORSHIP

Upon announcement of President *pro tempore* Sonnenberg, Senator Fields was added as a Senate joint prime sponsor on SJR17-010 with Senator Sonnenberg and Represenative Lawrence.

COMMITTEE OF REFERENCE REPORTS

Finance — After consideration on the merits, the Committee recommends that **SB17-113** be referred to the Committee of the Whole with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB17-009** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 15, strike "TWENTY-ONE THOUSAND NINE HUNDRED" and substitute "TEN THOUSAND".

SENATE SERVICES REPORT

Correctly Engrossed: SB17-017

MESSAGE FROM THE HOUSE

February 2, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1025, 1032, 1073, 1074.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1011, amended as printed in House Journal, February 1, 2017.
HB17-1034, amended as printed in House Journal, February 1, 2017.
HB17-1056, amended as printed in House Journal, February 1, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

February 2, 2017

We herewith transmit:

Without comment, HB17-1025, 1032, 1073, and 1074.
Without comment, as amended, HB17-1011, 1034, and 1056.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-010 by Senator(s) Sonnenberg and Fields; also Representative(s) Lawrence--Concerning the designation of February 4 as "Missing Persons Day" in Colorado.

On motion of Senator Sonnenberg, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Tate, Todd, Williams A., and Zenzinger.

SJR17-011 by Senator(s) Donovan and Martinez Humenik; also Representative(s) Hooton and Beckman--Concerning awareness of heart disease, and, in connection therewith, declaring February 3, 2017, as "National Wear Red Day".

On motion of Senator Donovan, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB17-017 by Senator(s) Aguilar; also Representative(s) Singer--Concerning adding stress disorders to the list of debilitating medical conditions for the purposes of the use of medical marijuana.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Coram, Crowder, Donovan, Fenberg, Garcia, Guzman, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lundberg, Marble, Merrifield, Moreno, Neville T., Priola, Sonnenberg, Todd, and Williams A.

Committee of the Whole

On motion of Senator Sonnenberg, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Sonnenberg was called to act as Chair.

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

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

SB17-014 by Senator(s) Baumgardner and Coram; also Representative(s) Becker J.--Concerning a prohibition against the imposition of inspection requirements for underground petroleum storage tanks or the charging of inspection fees for the inspection of underground petroleum storage tanks by a local government.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-014.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-065 by Senator(s) Lundberg, Aguilar; --Concerning a requirement that health care providers disclose the charges they impose for common health care services when payment is made directly rather than by a third party.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 27, page 82 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Aguilar.

Amend printed bill, page 5, line 9, strike "INCLUDE A" and substitute "INCLUDE:

(a) A".

Page 5, line 13, strike "RENDERED." and substitute "RENDERED; AND

(b) THE FOLLOWING STATEMENT OR A STATEMENT CONTAINING SUBSTANTIALLY SIMILAR INFORMATION:

IF YOU ARE COVERED BY HEALTH INSURANCE, YOU ARE STRONGLY ENCOURAGED TO CONSULT WITH YOUR HEALTH INSURER TO DETERMINE ACCURATE INFORMATION ABOUT YOUR FINANCIAL RESPONSIBILITY FOR A PARTICULAR HEALTH CARE SERVICE PROVIDED BY A HEALTH CARE PROVIDER AT THIS OFFICE. IF YOU ARE NOT COVERED BY HEALTH INSURANCE, YOU ARE STRONGLY ENCOURAGED TO CONTACT OUR BILLING OFFICE AT (INSERT TELEPHONE NUMBER) TO DISCUSS PAYMENT OPTIONS PRIOR TO RECEIVING A HEALTH CARE SERVICE FROM A HEALTH CARE PROVIDER AT THIS OFFICE SINCE POSTED HEALTH CARE PRICES MAY NOT REFLECT THE ACTUAL AMOUNT OF YOUR FINANCIAL RESPONSIBILITY.".

Page 6, line 12, strike "INCLUDE A" and substitute "INCLUDE:

(a) A".

Page 6, line 16, strike "RENDERED." and substitute "RENDERED; AND

(b) THE FOLLOWING STATEMENT OR A STATEMENT CONTAINING SUBSTANTIALLY SIMILAR INFORMATION:

IF YOU ARE COVERED BY HEALTH INSURANCE, YOU ARE STRONGLY ENCOURAGED TO CONSULT WITH YOUR HEALTH INSURER TO DETERMINE ACCURATE INFORMATION ABOUT YOUR FINANCIAL RESPONSIBILITY FOR A PARTICULAR HEALTH CARE SERVICE PROVIDED AT THIS HEALTH CARE FACILITY. IF YOU ARE NOT COVERED BY HEALTH INSURANCE, YOU ARE STRONGLY ENCOURAGED TO CONTACT (INSERT OFFICE NAME AND TELEPHONE NUMBER) TO DISCUSS PAYMENT OPTIONS PRIOR TO RECEIVING A HEALTH CARE SERVICE FROM THIS HEALTH CARE FACILITY SINCE POSTED HEALTH CARE PRICES MAY NOT REFLECT THE ACTUAL AMOUNT OF YOUR FINANCIAL RESPONSIBILITY.".

Amendment No. 3(L.004), by Senator Lundberg.

Amend printed bill, page 4, strike line 3 and substitute "SERVICES THAT IS NOT RESPONSIBLE FOR PAYING THE CHARGES FOR THE HEALTH CARE SERVICES PROVIDED TO THE RECIPIENT;".

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

SB17-005 by Senator(s) Holbert; also Representative(s) Neville P.--Concerning handgun safety training courses for school employees, and, in connection therewith, permitting certain school employees to carry concealed handguns in public schools.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, January 25, page 69 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Holbert.

Amend printed bill, page 2, line 5, strike "**fee.**" and substitute "**fee - expiration and renewal.**".

Page 3, strike lines 9 through 11 and substitute "SUCH LOCAL BOARD SHALL ENSURE THAT THE CURRICULUM:

(I) INCLUDES CONSIDERATION OF THE SCHOOL DISTRICT'S SCHOOL RESPONSE FRAMEWORK ESTABLISHED PURSUANT TO SECTION 22-32-109.1 (4); AND

(II) SATISFIES INSURABILITY STANDARDS FOR ARMED SCHOOL EMPLOYEES, WHICH STANDARDS ARE ESTABLISHED BY A STATEWIDE ENTITY THAT ADMINISTERS A SELF-INSURANCE POOL FOR SCHOOL DISTRICT EMPLOYEES.".

Page 3, after line 23 insert:

"(4) (a) A SHERIFF WHO PROVIDES A HANDGUN SAFETY TRAINING COURSE PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL PROVIDE A CERTIFICATE OF COMPLETION TO EACH PERSON WHO COMPLETES THE COURSE. THE CERTIFICATE, AT A MINIMUM, MUST INDICATE THE PERSON'S NAME, THE SHERIFF'S OFFICE THAT PROVIDED THE COURSE, AND THE EXPIRATION DATE OF THE PERSON'S CERTIFICATE, WHICH DATE IS ESTABLISHED BY THE SHERIFF.

(b) A SHERIFF WHO PROVIDES A HANDGUN SAFETY TRAINING COURSE PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL ESTABLISH A UNIFORM TIME FRAME FOR EXPIRATION AND RENEWAL OF CERTIFICATES OF COMPLETION ISSUED BY THE SHERIFF'S OFFICE. THE SHERIFF SHALL ENSURE THAT BEFORE ANY SUCH CERTIFICATE IS RENEWED FOR ANY PERSON, THE PERSON SATISFIES REQUALIFYING REQUIREMENTS FOR ARMED SCHOOL EMPLOYEES, WHICH STANDARDS ARE ESTABLISHED BY A STATEWIDE ENTITY THAT ADMINISTERS A SELF-INSURANCE POOL FOR SCHOOL DISTRICT EMPLOYEES.".

Amendment No. 3(L.008), by Senator Holbert.

Amend printed bill, page 4, line 18, after "RECEIVED" insert "WRITTEN".

Page 4, line 19, strike "AN INSTITUTE" and substitute "A".

Page 4, line 20, after "SCHOOL," insert "THE CHARTER SCHOOL BOARD AND, IF APPLICABLE,".

Page 4, line 22, after "NOTIFIED" insert "IN WRITING".

Page 6, line 1, after "BOARD" insert "AND, IF APPLICABLE, FROM THE CHARTER SCHOOL BOARD".

Page 6, line 8, strike "OR" and substitute "OR, IF PERMISSION IS GRANTED BY THE CHARTER SCHOOL BOARD,".

Page 6, line 13, after "BOARD" insert "AND EACH CHARTER SCHOOL BOARD".

Page 6, line 15, after "BOARD" insert "AND EACH CHARTER SCHOOL BOARD".

Page 6, line 27, strike "COURSE" and substitute "COURSE, IF PERMISSION IS GRANTED BY THE INSTITUTE CHARTER SCHOOL BOARD,".

Page 7, line 5, after "SECTION," insert "AND IF PERMISSION IS GRANTED BY THE INSTITUTE CHARTER SCHOOL BOARD,".

Page 7, line 10, after "INSTITUTE" insert "AND EACH INSTITUTE CHARTER SCHOOL BOARD".

Page 7, line 13, after "INSTITUTE" insert "AND EACH INSTITUTE CHARTER SCHOOL BOARD".

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.)

SB17-059 by Senator(s) Lundberg, Cooke; --Concerning an exemption from the rule requiring a vehicle to signal an intention to leave the current lane of travel when using a roundabout.

Laid over until Monday, February 6, retaining its place on the calendar.

SB17-007 by Senator(s) Marble, Grantham, Holbert, Neville T., Sonnenberg; also Representative(s) Saine and Humphrey--Concerning the repeal of certain provisions concerning ammunition magazines.

Laid over until Monday, February 6, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB17-005 by Senator(s) Holbert; also Representative(s) Neville P.--Concerning handgun safety training courses for school employees, and, in connection therewith, permitting certain school employees to carry concealed handguns in public schools.

Senators Kerr and Fenberg moved to amend the report of the Committee of the Whole to show that the following Fenberg floor amendment, (L.005) to SB17-005, did pass.

Amend printed bill, page 3, line 11, after "22-32-109.1 (4)." add "THE SHERIFF SHALL ENSURE THAT THE TRAINING COURSE IS APPROVED BY THE SCHOOL SAFETY AND YOUTH IN CRISIS COMMITTEE CREATED IN SECTION 22-15-101.".

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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-065 as amended, SB17-005 as amended.
Laid over until Monday, February 6: SB17-059, SB17-007.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call vote:

MEMBERS OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for terms expiring September 1, 2020:

Tyson Lynn Worrell of Lakewood, Colorado, to serve as a representative of full-time paid police officers, reappointed;

Adilberto Antonio “Guy” Torres III of Littleton, Colorado, to serve as a member of the state's financial or business community with experience in investments, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HJR17-1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy 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
STATE BOARD OF STOCK INSPECTION COMMISSIONERS

for a term expiring May 1, 2020:

Kathie Troudt Riley of Loveland, Colorado to serve as a representative with broad general knowledge of the Colorado livestock industry and shall represent commodity other than confinement and non-confinement cattle industries, with the largest percentage of charged fees, reappointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy 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 WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for a term expiring October 1, 2020:

Judy Lyn Skram of Fort Collins, Colorado, to serve as a representative of the South Plate Drainage Basin, and as a representative of water project financing, appointed.

Education

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

MEMBERS OF THE
STATE BOARD FOR COMMUNITY COLLEGES
AND OCCUPATIONAL EDUCATION

effective December 31, 2016 for terms expiring December 31, 2020:

Stratton Rollins “Rollie” Heath, Jr. of Boulder, Colorado, a Democrat and a resident of the Second Congressional District, appointed;

Russell Joseph Meyer of Parker, Colorado, a Democrat and a resident of the Fourth Congressional District, reappointed.

Education

After consideration on the merits, the Committee recommends that **SB17-076** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education

After consideration on the merits, the Committee recommends that **SB17-041** 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 1, line 101, strike "**CERTAIN**".

Page 1, line 102, strike "**EDUCATION.**" and substitute "**EDUCATION THAT ARE FUNDED BY REVENUE GENERATED FROM AUXILIARY ACTIVITIES.**".

Education

After consideration on the merits, the Committee recommends that **SB17-062** 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 4, strike "**Students' right**" and substitute "**Right**".

Page 2, after line 9 insert:

"(b) "MEMBERS OF THE COLLEGE OR UNIVERSITY COMMUNITY" INCLUDES STUDENTS, FACULTY, AND STAFF AT AN INSTITUTION OF HIGHER EDUCATION, AND ANY INVITED GUESTS.".

Reletter succeeding paragraph accordingly.

Page 2, line 10, strike "FORUM"" and substitute "FORUM", AS APPLIED TO MEMBERS OF THE COLLEGE OR UNIVERSITY COMMUNITY,".

Page 2, lines 14 and 15, strike "STUDENTS OR STUDENT ORGANIZATIONS" and substitute "MEMBERS OF THE COLLEGE OR UNIVERSITY COMMUNITY".

Page 2, line 17, strike "A STUDENT'S" and substitute "THE" and after "SPEAK" insert "BY A MEMBER OF THE COLLEGE OR UNIVERSITY COMMUNITY".

Page 2, line 17 and 18, strike "A STUDENT'S RIGHT" and substitute "THE RIGHT OF A MEMBER OF THE COLLEGE OR UNIVERSITY COMMUNITY".

Page 2, line 19, after the period add "AN INSTITUTION OF HIGHER EDUCATION HAS THE RIGHT TO ALLOW MEMBERS OF THE COLLEGE OR UNIVERSITY COMMUNITY TO RESERVE TIME AND SPACE IN A PUBLIC FORUM. NOTHING IN THIS SECTION GRANTS OTHER MEMBERS OF THE COLLEGE OR UNIVERSITY COMMUNITY THE RIGHT TO DISRUPT PREVIOUSLY SCHEDULED OR RESERVED ACTIVITIES IN THAT PORTION OR SECTION OF THE PUBLIC FORUM AT THAT SCHEDULED TIME.".

Page 3, line 2, strike "STUDENT SPEECH" and substitute "SPEECH BY A MEMBER OF THE COLLEGE OR UNIVERSITY COMMUNITY".

Page 3, lines 18 and 19, strike "GENERAL OR APPROPRIATE DISTRICT ATTORNEY; AND" and substitute "GENERAL; OR".

Page 3, line 20, strike "STUDENT" and substitute "A MEMBER OF THE COLLEGE OR UNIVERSITY COMMUNITY".

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB17-049** be postponed indefinitely.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB17-090** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike line 12 and substitute "TETRAHYDROCANNABINOL AND ITS PRECURSOR, DELTA-9 TETRAHYDROCANNABINOLIC ACID. The".

Page 2, strike lines 16 through 18 and substitute:

"**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB17-050** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 12, after "PROPERTY" insert "AND INCREASE FIREFIGHTER SAFETY,".

Page 3, strike line 8 and substitute "forest restoration AND WILDFIRE RISK MITIGATION GRANT program".

Page 3, line 9, after "(8.5)" insert "THAT RESULT FROM APPROPRIATIONS FOR FISCAL YEARS THAT END ON OR BEFORE JUNE 30, 2017,".

Page 4, strike lines 4 and 5 and substitute "THOUSAND dollars per year to the forest restoration AND WILDFIRE RISK MITIGATION GRANT program cash fund created in".

Page 4, line 24, strike "**Wildfire risk reduction and forest health**" and substitute "**Forest restoration and wildfire risk mitigation**".

Page 5, line 1, strike "'WILDFIRE RISK REDUCTION AND FOREST HEALTH" and substitute ""FOREST RESTORATION AND WILDFIRE RISK MITIGATION".

Page 5, line 6, strike the second "AND".

Page 5, strike lines 8 and 9 and substitute "IN PART TO FIRE SUPPRESSION EFFORTS AND DROUGHT, THE RESULT OF WHICH ARE UNHEALTHY, FIRE-PRONE FORESTS; AND

(III) COLORADO HAS EXPERIENCED A SIGNIFICANT INCREASE IN DAMAGING WILDFIRES THAT HAVE DESTROYED HOMES, PROPERTY, AND OTHER ESSENTIAL COMMUNITY INFRASTRUCTURE;".

Page 5, line 13, strike "INTERFACE;" and substitute "INTERFACE AND REDUCE THE FINANCIAL COSTS OF WILDFIRE IN COLORADO;".

Page 5, line 14, after "THIN" insert "OR OTHERWISE MANAGE TO IMPROVE".

Page 5, line 15, strike "REDUCE" and substitute "MITIGATE".

Page 5, line 17, strike the second "AND".

Page 6, after line 1 insert:

"(IV) MAINTAINING PROPER FUNDING FOR A COMBINED GRANT PROGRAM WILL ENSURE THAT NECESSARY RESOURCES ARE AVAILABLE TO BOTH REDUCE WILDFIRE RISK AND IMPROVE FOREST HEALTH; AND".

Page 6, line 3, after "MITIGATION" insert "AND FOREST HEALTH IMPROVEMENTS".

Page 7, line 3, after "TO" insert "SAFELY".

Page 7, line 12, strike "to stakeholders" and substitute "~~to stakeholders~~".

Page 7, strike line 13 and substitute "~~experimental forest restoration~~".

Page 7, strike line 16 and substitute "~~federal,~~ state, county, or municipal forest lands. The ~~state~~ GRANT share of an".

Page 8, strike lines 22 and 23 and substitute "technical advisory panel to evaluate the proposals for forest restoration ~~demonstration~~ AND WILDFIRE RISK MITIGATION grants and".

Page 9, line 5, strike "NINE" and substitute "TEN".

Page 9, strike line 6 and substitute "members, to be appointed by the director. ~~as follows:~~ THE COMPOSITION OF THE PANEL INCLUDES:".

Page 9, line 24, strike "COLORADO;" and substitute "COLORADO AND THE MAINTENANCE AND IMPROVEMENT OF ECOLOGICAL HEALTH;

Page 9, line 25, strike "ONE MEMBER" and substitute "TWO MEMBERS".

Page 10, strike lines 3 and 4 and substitute "section. In carrying out ~~the program and~~ approved projects, ~~to provide forest restoration activities,~~ the".

Page 10, line 8, strike "**restoration.**" and substitute "**restoration and wildfire risk mitigation.**".

Page 10, lines 9 and 10, strike "MOVING FROM RISK REDUCTION TO" and substitute "EFFORTS TO REDUCE RISK TO PEOPLE AND PROPERTY AND IN SUPPORT OF".

Page 10, strike line 15 and substitute "THE IMPLEMENTATION OF FOREST RESTORATION AND WILDFIRE RISK MITIGATION".

Page 10, strike lines 19 and 20 and substitute "ADDITIONAL FINANCIAL RESOURCES OR THAT HAVE".

Page 10, strike line 24 and substitute "BALANCE OF THE FOREST RESTORATION AND WILDFIRE RISK MITIGATION GRANT".

Page 11, strike line 7 and substitute "AVAILABLE IN THE FOREST RESTORATION AND WILDFIRE RISK MITIGATION GRANT".

Page 13, line 11, strike "AND".

Page 13, line 12, strike "GENERATED." and substitute "GENERATED; AND

(VI) THE GRANT PROGRAM'S ABILITY TO ACHIEVE ITS STATED GOALS.".

Page 13, strike lines 16 through 18 and substitute:

"(8.5) **Forest restoration and wildfire risk mitigation grant program cash fund.** (a) There is hereby created in the state treasury the forest restoration AND WILDFIRE RISK MITIGATION GRANT program cash".

Page 14, strike line 1 and substitute "TO THE FOREST RESTORATION AND WILDFIRE RISK MITIGATION GRANT PROGRAM".

Page 14, strike lines 5 and 6 and substitute "board of governors of the Colorado state university system for the forest restoration AND WILDFIRE RISK MITIGATION GRANT".

Page 14, strike lines 13 through 27.

Page 15, strike lines 1 and 2 and substitute "2022. ~~Prior to such repeal, the department of regulatory agencies shall review the technical advisory panel as provided in section 2-3-1203, C.R.S.~~".

Renumber succeeding sections accordingly.

MESSAGE FROM THE HOUSE

February 3, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1003.

The House has adopted and returns herewith SJR17-010, 011.

INTRODUCTION OF RESOLUTIONS

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

HJR17-1003 by Representative(s) Arndt; also Senator(s) Sonnenberg--Concerning approval of water project revolving fund eligibility lists administered by the Colorado water resources and power development authority.
Agriculture, Natural Resources, & Energy

INTRODUCTION OF BILLS -- FIRST READING

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

SB17-155 by Senator(s) Tate; also Representative(s) Saine--Concerning the statutory definition of a construction defect for purposes of the "Construction Defect Action Reform Act".
Business, Labor, & Technology

SB17-158 by Senator(s) Tate, Priola, Smallwood, Neville T.; also Representative(s) Nordberg--Concerning modifications to the composition of the board of trustees of the public employees' retirement association.
Finance

SB17-159 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of corrections.
Appropriations

SB17-160 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of education.
Appropriations

SB17-161 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.
Appropriations

SB17-162 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of health care policy and financing.
Appropriations

SB17-163 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of human services.
Appropriations

SB17-164 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the judicial department.
Appropriations

SB17-165 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of law.
Appropriations

SB17-166 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of military and veterans affairs.
Appropriations

SB17-167 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of personnel.
Appropriations

SB17-168 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of public safety.
Appropriations

SB17-169 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of revenue.
Appropriations

SB17-170 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of state.
Appropriations

SB17-171 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of transportation.
Appropriations

SB17-172 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning funding for capital construction, and making supplemental appropriations in connection therewith.
Appropriations

SB17-173 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning adjustments in the amount of total program funding for public schools for the 2016-17 budget year, and, in connection therewith, making an appropriation.
Appropriations

SB17-174 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the allocation of money by the Colorado commission on higher education for tuition assistance for members of the National Guard.
Appropriations

SB17-175 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the transfer of money between state self-insurance funds at the request of the executive director of the department of personnel.
Appropriations

SB17-176 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Rankin, Hamner, Young--Concerning authorization to use money in the Colorado state titling and registration account to issue devices that confirm that a person has registered a motor vehicle.
Appropriations

HB17-1011 by Representative(s) Melton; also Senator(s) Tate--Concerning a limitation on when certain disciplinary actions may be commenced against a mental health professional, and, in connection therewith, requiring that a mental health professional provide notice to former clients regarding record retention and that all complaints be resolved by the agency within two years after the date the complaint was filed.
Health & Human Services

HB17-1025 by Representative(s) Arndt, Thurlow; also Senator(s) Holbert, Kerr, Moreno, Tate--Concerning the repeal of obsolete laws relating to reapportionment of state legislative districts.
State, Veterans, & Military Affairs

HB17-1032 by Representative(s) Arndt; also Senator(s) Cooke--Concerning the evidentiary privilege for communications made during the provision of certain peer support services.
Judiciary

HB17-1034 by Representative(s) Pabon; also Senator(s) Baumgardner--Concerning licensing changes to the medical marijuana code to conform with the retail marijuana code.
Business, Labor, & Technology

HB17-1056 by Representative(s) Weissman; also Senator(s) Kefalas and Gardner--Concerning the eligibility of a veterans' service organization to accept public service assignments offered in connection with misdemeanor sentencing.
Judiciary

HB17-1073 by Representative(s) Foote, Willett; also Senator(s) Scott--Concerning the enactment of Colorado Revised Statutes 2016 as the positive and statutory law of the state of Colorado.
Judiciary

HB17-1074 by Representative(s) Arndt, Thurlow; also Senator(s) Holbert, Kerr, Moreno, Tate--Concerning the repeal of obsolete laws relating to redistricting of congressional districts.
State, Veterans, & Military Affairs

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

June 20, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO BANKING BOARD

for a term expiring July 1, 2020:

Jonathan Randall Fox of Fowler, Colorado, to serve as a representative of bankers, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Finance

June 6, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2020:

Jessica Pocock of Colorado Springs, Colorado, to serve as a representative of the community at large and as an Unaffiliated, and occasioned by the resignation of Pankaj Sharma of Boulder, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

December 7, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES OF METROPOLITAN
STATE UNIVERSITY OF DENVER

effective December 31, 2016 for a term expiring December 31, 2019:

John Paul Pogge of Greenwood Village, Colorado, an Unaffiliated, reappointed;

effective December 31, 2016 for a term expiring December 31, 2020:

James Michael Mulligan of Denver, Colorado, an Unaffiliated, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/4/2017
Effie Ameen, Secretary of the Senate

Committee on Education

On motion of Senator Cooke, the Senate adjourned until 10:00 a.m., Monday, February 6, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

27th Legislative Day — Monday, February 6, 2017

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Kagan.

Reading of the Journal — On motion of Senator Coram, reading of the Journal of Friday, February 3, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Legal Services — After consideration on the merits, the Committee recommends that **SB17-083** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB17-155, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171,172, 173, 174, 175, and 176.
Correctly Engrossed: SB17-005, 014, and 065; SJR17-010 and 011.
Correctly Reengrossed: SB17-017.

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

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

SB17-014 by Senator(s) Baumgardner and Coram; also Representative(s) Becker J.--Concerning a prohibition against the imposition of inspection requirements for underground petroleum storage tanks or the charging of inspection fees for the inspection of underground petroleum storage tanks by a local government.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Crowder, Gardner, Hill, Lundberg, Marble, Neville T., Scott, and Sonnenberg.

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:

SB17-065 by Senator(s) Lundberg, Aguilar; --Concerning a requirement that health care providers disclose the charges they impose for common health care services when payment is made directly rather than by a third party.

Laid over until Tuesday, February 7, retaining its place on the calendar.

SB17-005 by Senator(s) Holbert; also Representative(s) Neville P.--Concerning handgun safety training courses for school employees, and, in connection therewith, permitting certain school employees to carry concealed handguns in public schools.

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Hill, Lambert, Lundberg, Marble, Neville T., Priola, Scott, Smallwood, and Sonnenberg.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB17-076, SB17-041, and SB17-050 were made Special Orders -- Consent Calendar at 10:12 a.m.

Committee of the Whole

The hour of 10:12 a.m. having arrived, Senator Neville 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 Neville 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:

SB17-076 by Senator(s) Priola; also Representative(s) Coleman--Concerning authority to spend money in the public school performance fund.

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

SB17-041 by Senator(s) Priola, Holbert; also Representative(s) Hooton and Willett, Thurlow, Pabon, Herod--Concerning employment contracts for certain positions at institutions of higher education.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 3, page 137 and placed in members' bill files.)

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

SB17-050 by Senator(s) Cooke; also Representative(s) Becker K.--Concerning the consolidation of grant programs relating to forest management.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. (Printed in Senate Journal, February 3, page(s) 138-140 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 -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Neville, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-076, SB17-041 as amended, SB17-050 as amended.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-059 by Senator(s) Lundberg, Cooke; --Concerning an exemption from the rule requiring a vehicle to signal an intention to leave the current lane of travel when using a roundabout.

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

SB17-007 by Senator(s) Marble, Grantham, Holbert, Neville T., Sonnenberg; also Representative(s) Saine and Humphrey--Concerning the repeal of certain provisions concerning ammunition magazines.

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.)

SB17-056 by Senator(s) Kerr, Tate, Moreno; also Representative(s) Arndt, Thurlow--Concerning the scheduled repeal of reports by the department of public health and environment to the general assembly.

Amendment No. 1, Health & Human Services Committee Amendment. (Printed in Senate Journal, February 2, page 125 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

SB17-007 by Senator(s) Marble, Grantham, Holbert, Neville T., Sonnenberg; also Representative(s) Saine and Humphrey--Concerning the repeal of certain provisions concerning ammunition magazines.

Senator Kagan moved to amend the report of the Committee of the Whole to show that SB17-007 did not pass.

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 was **lost** on the following roll call vote:

YES	14	NO	21	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	N	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Neville, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-059, SB17-007, SB17-056 as amended.

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

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Governor's Appointments -- Consent Calendar (State Board of Stock Inspection Commissioners, Colorado Water Resources and Power Development Authority, State Board for Community Colleges and Occupational Education) of Monday, February 6, was laid over until Tuesday, February 7, retaining its place on the calendar.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

February 6, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1076, 1055, 1052.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1078, amended as printed in House Journal, February 3, 2017.
HB17-1023, amended as printed in House Journal, February 3, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

February 6, 2017

We herewith transmit:

Without comment, HB17-1052, 1055, and 1076.
Without comment, as amended, HB17-1023 and 1078.

INTRODUCTION OF RESOLUTIONS

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

HJR17-1013 by Representative(s) Hansen and Michaelson Jenet; also Senator(s) Fields and Merrifield-Urging the immediate rescission of the executive order regarding the entry of foreign nationals into the United States that was issued by the President of the United States on January 27, 2017.
State, Veterans, & Military Affairs

INTRODUCTION OF BILLS -- FIRST READING

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

HB17-1023 by Representative(s) Kraft-Tharp and Wist; also Senator(s) Court and Holbert--Concerning a clarification of procedures for subpoenas for deceptive trade practices.
Judiciary

HB17-1052 by Representative(s) Beckman, Young; also Senator(s) Smallwood--Concerning factors to take into consideration in determining the child welfare allocation formula in a given fiscal year.
Health & Human Services

HB17-1055 by Representative(s) Herod; also Senator(s) Gardner--Concerning a voluntary contribution designation benefiting the Urban Peak Housing and Support Services for Youth Experiencing Homelessness fund that appears on the state individual tax return forms.
Finance

HB17-1076 by Representative(s) Arndt; also Senator(s) Coram and Fenberg--Concerning rule-making by the state engineer regarding permits for the use of water artificially recharged into nontributary groundwater aquifers.
Agriculture, Natural Resources, & Energy

HB17-1078 by Representative(s) Landgraf; also Senator(s) Coram--Concerning the repeal of the Colorado family support loan program, and, in connection therewith, transferring funds from the Colorado family support loan program to the family support services program to provide services for families of persons with intellectual and developmental disabilities.
Finance

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, February 7, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

28th Legislative Day Tuesday, February 7, 2017

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

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

Roll Call — Present--34
Excused--1, Scott.

Quorum — The President announced a quorum present.

Pledge — By Senator Kagan.

Reading of the Journal — On motion of Senator Coram, reading of the Journal of Monday, February 6, 2017, 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 **SB17-012** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 10, strike "UNIT IN THE DEPARTMENT" and substitute "OFFICE OF BEHAVIORAL HEALTH IS THE ENTITY".

Page 3, strike lines 11 through 13.

Page 4, line 13, strike "UNIT IN THE DEPARTMENT OF" and substitute "OFFICE OF BEHAVIORAL HEALTH".

Page 4, strike lines 14 through 16.

Page 6, strike lines 1 through 5 and substitute:

"(2) THE OFFICE OF BEHAVIORAL HEALTH, REFERRED TO IN THIS SECTION AS THE "OFFICE", SHALL SERVE AS A CENTRAL ORGANIZING".

Judiciary — After consideration on the merits, the Committee recommends that **SB17-066** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-115** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-120** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, after line 21 insert:

"(b) FOR PURPOSES OF THIS SUBSECTION (3), AN ADULT PROBATION OFFICER, AS DEFINED IN SECTION 16-2.5-137, AND A JUVENILE PROBATION OFFICER, AS DEFINED IN SECTION 16-2.5-138, ARE CONSIDERED TO BE EMPLOYED BY A LAW ENFORCEMENT AGENCY.".

Reletter succeeding paragraph accordingly.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-055** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-086** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-092** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Engrossed: SB17-007, 041, 050, 056, 059, and 076.
Correctly Reengrossed: SB17-005 and 014.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of Governor's Appointments -- Consent Calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
STATE BOARD OF STOCK INSPECTION COMMISSIONERS

for a term expiring May 1, 2020:

Kathie Troudt Riley of Loveland, Colorado to serve as a representative with broad general knowledge of the Colorado livestock industry and shall represent commodity other than confinement and non-confinement cattle industries, with the largest percentage of charged fees, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
COLORADO WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for a term expiring October 1, 2020:

Judy Lyn Skram of Fort Collins, Colorado, to serve as a representative of the South Plate Drainage Basin, and as a representative of water project financing, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
STATE BOARD FOR COMMUNITY COLLEGES
AND OCCUPATIONAL EDUCATION

effective December 31, 2016 for terms expiring December 31, 2020:

Stratton Rollins “Rollie” Heath, Jr. of Boulder, Colorado, a Democrat and a resident of the Second Congressional District, appointed;

Russell Joseph Meyer of Parker, Colorado, a Democrat and a resident of the Fourth Congressional District, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, February 7, was laid over until Wednesday, February 8, retaining its place on the calendar.

Third Reading of Bills -- Final Passage -- Consent Calendar: SB17-076, SB17-041, SB17-050.
Third Reading of Bills -- Final Passage: SB17-065, SB17-059, SB17-007, SB17-056.
General Orders -- Second Reading of Bills: SB17-113, SB17-062, SB17-090.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, February 8, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

29th Legislative Day Wednesday, February 8, 2017

Prayer — By the chaplain, Reverend Dr. Eugene Downing, New Hope Baptist Church, Denver.

Musical Presentation — By the Colorado Springs Conservatory, providing a jazz guitar performance. Members appearing include Ricky Jumper, DeAndre Molina, Ian Ferguson, and David Musante.

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

Roll Call — Present--34
Excused--1, Scott.

Quorum — The President announced a quorum present.

Pledge — By Senator Kagan.

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

Reading of the Journal — On motion of Senator Coram, reading of the Journal of Tuesday, February 7, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HJR17-1013** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB17-1058** 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 **SB17-033** 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 **SB17-127** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Trans-portation — After consideration on the merits, the Committee recommends that **SB17-093** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **SB17-039** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB17-124** 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 **SB17-003** be referred to the Committee on Appropriations with favorable recommendation.

MESSAGE FROM THE HOUSE

February 7, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1040, 1065.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1016, amended as printed in House Journal, February 6, 2017.
HB17-1044, amended as printed in House Journal, February 6, 2017.
HB17-1068, amended as printed in House Journal, February 6, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

February 7, 2017

We herewith transmit:

Without comment, HB17-1040 and 1065.
Without comment, as amended, HB17-1016, 1044, and 1068.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, February 8, was laid over until Thursday, February 9, retaining its place on the calendar.

Third Reading of Bills -- Final Passage -- Consent Calendar: SB17-076, SB17-041, SB17-050.
Third Reading of Bills -- Final Passage: SB17-065, SB17-059, SB17-007, SB17-056.
General Orders -- Second Reading of Bills: SB17-113, SB17-062, SB17-090, SB17-083.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR17-010 and SJR17-011.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Local Government

After consideration on the merits, the Committee recommends that **SB17-077** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 5, strike "(a)".

Page 2, strike lines 7 and 8 and substitute "A SPECIAL EVENT PERMIT TO A STATE AGENCY, THE COLORADO WINE INDUSTRY DEVELOPMENT BOARD, CREATED IN SECTION 35-29.5-103, OR AN INSTRUMENTALITY OF A MUNICIPALITY OR COUNTY THAT PROMOTES:"

Page 2, line 9, strike "(I)" and substitute "(a)".

Page 2, line 10, strike "(II)" and substitute "(b)" and strike "TO" and substitute "IN".

Page 2, strike lines 12 through 16.

Appro-priations

After consideration on the merits, the Committee recommends that **SB17-159** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-160** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-161** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-162** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-163** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 71, line 8, strike "co-managing an observation unit" and substitute "~~co-managing an observation unit~~ PROVIDING BEHAVIORAL HEALTH SERVICES".

Appro-priations After consideration on the merits, the Committee recommends that **SB17-164** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-165** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-166** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-167** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-168** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-169** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-170** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-171** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-172** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-173** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-174** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-175** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **SB17-176** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, before line 25 insert:

"**SECTION Appropriation.** (1) For the 2016-17 state fiscal year, $2,435,572 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation consists of $202,327 from the general fund, $2,043,976 from the Colorado state titling and registration account in the highway users tax fund created in section 42-1-211 (2), C.R.S., and $189,269 from the license plate cash fund created in section 42-3-301 (1)(b), C.R.S. To implement this act, the division may use this appropriation for license plate ordering.

(2) For the 2016-17 state fiscal year, $2,435,572 is appropriated to the department of corrections for use by the Colorado correctional industries. This appropriation is from reappropriated funds received from the department of revenue under subsection (1) of this section. To implement this act, Colorado correctional industries may use this appropriation to provide license plate ordering services for the department of revenue."

Renumber succeeding section accordingly.

Page 1, line 104, strike "**VEHICLE.**" and substitute "**VEHICLE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"

INTRODUCTION OF BILLS -- FIRST READING

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

SB17-177 by Senator(s) Cooke; also Representative(s) Rosenthal--Concerning amending the definition of "special respondent" in the children's code to allow a person to be voluntarily joined in a dependency or neglect proceeding.
Judiciary

SB17-178 by Senator(s) Marble; also Representative(s) Melton--Concerning prohibiting a court from requiring a medical-marijuana patient to abstain from the use of marijuana as a condition of bond.
Judiciary

HB17-1016 by Representative(s) Saine and Gray; also Senator(s) Martinez Humenik and Zenzinger--Concerning the ability of an urban renewal authority to exclude the valuation attributable to the extraction of mineral resources located within an urban renewal area from the total amount of taxable property subject to division for the purpose of financing urban renewal projects.
Local Government

HB17-1040 by Representative(s) Lundeen and Foote; also Senator(s) Priola and Jahn, Cooke--Concerning authorizing the interception of communication relating to a crime of human trafficking.
Judiciary

HB17-1044 by Representative(s) Mitsch Bush; also Senator(s) Todd--Concerning autocycles, and, in connection therewith, clarifying that an autocycle is a type of motorcycle and requiring autocycle drivers and passengers to use safety belts and, if applicable, child safety restraints.
Transportation

HB17-1065 by Representative(s) Lewis; also Senator(s) Marble--Concerning a clarification of requirements governing the formation of metropolitan districts, and, in connection therewith, limiting the inclusion of agricultural land within a metropolitan district providing park and recreational services and clarifying signature requirements governing judicial approval of a petition for organization of a proposed special district.
Local Government

HB17-1068 by Representative(s) Benavidez; also Senator(s) Moreno--Concerning a requirement that the department of transportation consider only proposals for public-private initiatives that will pay prevailing wages for construction labor.
Transportation

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

December 16, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

effective December 31, 2016 for terms expiring December 31, 2020:

Bror Douglas Quimby of Colorado Springs, Colorado, a Republican, reappointed;

Tilman “Tillie” Bishop of Grand Junction, Colorado, a Republican, reappointed;

James David Reed of Montrose, Colorado, a Republican, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/4/2017
Effie Ameen, Secretary of the Senate

Committee on Education

May 18, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR ADAMS STATE UNIVERSITY

for terms expiring December 31, 2016:

LeRoy James Salazar of Manassa, Colorado, a Democrat, reappointed;

Wendell Lorenzo Pryor of Denver, Colorado, a Democrat, and occasioned by the resignation of Mary K. Griffin of Boulder, Colorado, appointed;

for a term expiring December 31, 2019:

Michelle J. Lueck of Englewood, Colorado, a Democrat, and occasioned by the resignation of Valentin "Val" Vigil of Thornton, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Education

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HJR17-1004.

TRIBUTES

Honoring:

Association of Colorado Centers for Independent Living -- By Senator Kent Lambert.
The Taipei Economic and Cultural Office in Denver -- By Senator Owen Hill.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, February 9, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

30th Legislative Day Thursday, February 9, 2017

Prayer — By the chaplain, Father Brian Morrow, Assumption Catholic Church, Denver.

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

Roll Call — Present--34
Excused--1, Marble.

Quorum — The President announced a quorum present.

Pledge — By Senator Kagan.

Reading of the Journal — On motion of Senator Coram, reading of the Journal of Wednesday, February 8, 2017, 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 **SB17-097** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 14, after "LEASE," insert "DEED OF TRUST,".

Judiciary — After consideration on the merits, the Committee recommends that **SB17-154** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Health & Human Services — After consideration on the merits, the Committee recommends that **SB17-074** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, line 27, strike "BUPRENORPHINE," and substitute "BUPRENORPHINE AND ALL OTHER MEDICATIONS AND THERAPIES APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION,".

Page 5, line 20, strike "SPECIFICALLY, BUPRENORPHINE MEDICATIONS," and substitute "SUCH AS BUPRENORPHINE AND ALL OTHER MEDICATIONS AND THERAPIES,".

Page 6, lines 3 and 4, strike "AND TO WHOM A LICENSED PHYSICIAN DELEGATES" and substitute "WHO IS AUTHORIZED, IN ACCORDANCE WITH SECTION 12-36-106 (5), TO PERFORM".

Page 6, strike lines 5 and 6 and substitute "INCLUDING PRESCRIBING CONTROLLED SUBSTANCES.".

Page 6, line 27, after "BUPRENORPHINE" insert "AND ALL OTHER MEDICATIONS AND THERAPIES APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION".

Page 7, line 18, strike "MEDICATION" and substitute "AND ALL OTHER MEDICATIONS AND THERAPIES APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION".

Page 9, line 10, strike "AND".

Page 9, after line 10 insert:

"(V) THE COLORADO ACADEMY OF PHYSICIAN ASSISTANTS; AND".

Renumber succeeding subparagraph accordingly.

Page 10, line 14, strike "OPIATE-DEPENDENT" and substitute "OPIOID-DEPENDENT".

Page 11, line 22, strike "BUPRENORPHINE;" and substitute "BUPRENORPHINE AND ALL OTHER MEDICATIONS AND THERAPIES APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION TO TREAT OPIOID USE DISORDER;".

Strike "OPIATE" and substitute "OPIOID" on: **Page 3**, lines 18 and 19; **Page 4,** lines 16 and 27; **Page 5**, line 3; **Page 7,** lines 2, 5, 19, and 21; and **Page 12,** line 4.

Strike "OPIATE-RELATED" and substitute "OPIOID-RELATED" on: **Page 3,** lines 20 and 26.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-110** 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 4, strike "**definitions.**" and substitute "**definitions - repeal.**".

Page 3, line 9, after "(I)" insert "(A)".

Page 3, line 14, strike "(II)" and substitute "(B)".

Page 3, after line 17 insert:

"(II) THIS SUBSECTION (1)(i) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2020.".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-108** 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 3, after line 3, insert:

"**SECTION 3.** In Colorado Revised Statutes, 12-43.7-105, **amend** (1) as follows:

12-43.7-105. Certification required - exception. (1) Except as otherwise provided in this ~~article~~ ARTICLE 43.7, on and after July 1, 2013, a person shall not practice speech-language pathology or represent or hold himself or herself out as being able to practice speech-language pathology in this state without possessing a valid certification issued by the director in accordance with this ~~article~~ ARTICLE 43.7 and any rules adopted under this ~~article~~ ARTICLE 43.7 OR A SPECIAL SERVICES LICENSE ISSUED BY THE DEPARTMENT OF EDUCATION PURSUANT TO SECTION 22-60.5-210.".

Renumber succeeding sections accordingly.

Page 4, after line 5, insert:

"**SECTION 6.** In Colorado Revised Statutes, 12-43.7-108, **amend** (1) introductory portion, (1)(d), and (1)(e); and **add** (1)(f) as follows:

12-43.7-108. Scope of article - exclusions. (1) This ~~article~~

ARTICLE 43.7 does not prevent or restrict the practice, services, or activities of:

(d) A person participating in good faith in a clinical fellowship if the experience constitutes a part of the experience necessary to meet the requirement of section 12-43.7-106 (1) and the person acts under appropriate supervision; ~~or~~

(e) Any legally qualified speech-language pathologist from another state or country when providing services on behalf of a temporarily absent speech-language pathologist certified in this state, so long as the uncertified speech-language pathologist is acting in accordance with rules adopted by the director. The uncertified practice must not occur more than once in any twelve-month period; OR

(f) A SPEECH-LANGUAGE PATHOLOGIST WHO POSSESSES A SPECIAL SERVICES LICENSE ISSUED BY THE DEPARTMENT OF EDUCATION PURSUANT TO SECTION 22-60.5-210.".

Renumber succeeding section accordingly.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-089** be postponed indefinitely.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-045** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 2, strike "THE" and substitute "THE INSURERS WITH A DUTY TO DEFEND MAY, AMONG THEMSELVES, AGREE ON HOW TO APPORTION PAST AND FUTURE DEFENSE COSTS, INCLUDING REASONABLE ATTORNEY FEES. ANY SUCH AGREEMENT IS ENFORCEABLE AS A CONTRACT. IF THE INSURERS ARE UNABLE TO REACH SUCH AN AGREEMENT WITHIN FORTY-FIVE DAYS AFTER THE FILING OF THE CONTRIBUTION ACTION, THE".

Page 3, strike lines 4 and 5 and substitute "HEARING, WHICH MUST BE HELD WITHIN SIXTY DAYS. STATEMENTS MADE BY PARTIES AND COUNSEL ON BEHALF OF ANY PARTY, WHEN OFFERED TO PROVE LIABILITY FOR, VALIDITY OF, OR AMOUNT OF ANY CLAIMS DURING THE HEARING, ARE NOT ADMISSIBLE IN ANY SUBSEQUENT PROCEEDING. THE DISTRICT COURT SHALL PROMPTLY DECIDE THE CLAIM".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB17-027** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 2, line 20, strike "A" and substitute "EXCEPT AS PROVIDED IN SUBSECTIONS (5.5)(b) AND (5.5)(c) OF THIS SECTION, A".

Page 2, line 21 strike the second "A".

Page 2, strike lines 22 through 26 and substitute "2 MISDEMEANOR TRAFFIC OFFENSE, AND THE COURT OR THE DEPARTMENT SHALL ASSESS A FINE OF THREE HUNDRED DOLLARS.

(b) IF THE PERSON'S ACTIONS ARE THE PROXIMATE CAUSE OF BODILY INJURY TO ANOTHER, THE PERSON COMMITS A CLASS 1 MISDEMEANOR TRAFFIC OFFENSE AND SHALL BE PUNISHED AS PROVIDED IN SECTION 42-4-1701 (3)(a)(II).

(c) IF THE PERSON'S ACTIONS ARE THE PROXIMATE CAUSE OF DEATH TO ANOTHER, THE PERSON COMMITS A CLASS 1 MISDEMEANOR TRAFFIC OFFENSE AND SHALL BE PUNISHED AS PROVIDED IN SECTION 42-4-1701 (3)(a)(II).".

Page 3, strike lines 1 and 2.

Page 3, line 7, strike "transmission." and substitute "transmission, IN A MANNER THAT CAUSED THE OPERATOR TO DRIVE IN A CARELESS AND IMPRUDENT MANNER, WITHOUT DUE REGARD FOR THE WIDTH, GRADE, CURVES, CORNERS, TRAFFIC, AND USE OF THE STREETS AND HIGHWAYS AND ALL OTHER ATTENDANT CIRCUMSTANCES, AS PROHIBITED BY SECTION 42-4-1402.".
Page 3, line 9, strike "and (5)(jj.7)".

Page 3, line 14, strike "FIRST", and strike "5" and substitute "4".

Page 3, strike lines 15 and 16.

Page 4, strike lines 18 and 19 and substitute:

"42-4-239 (5.5) 300.00 6.00".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB17-064** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB17-122** 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: SB17-177 and 178.
Correctly Enrolled: SJR17-010 and 011.

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

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

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

SB17-076 by Senator(s) Priola; also Representative(s) Coleman--Concerning authority to spend money in the public school performance fund.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Grantham, Holbert, Kerr, Martinez Humenik, Merrifield, Moreno, Todd, and Williams A.

SB17-041 by Senator(s) Priola, Holbert; also Representative(s) Hooton and Willett, Thurlow, Pabon, Herod--Concerning employment contracts for positions at institutions of higher education that are funded by revenue generated from auxiliary activities.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, and Grantham.

SB17-050 by Senator(s) Cooke; also Representative(s) Becker K.--Concerning the consolidation of grant programs relating to forest management.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Donovan, Fenberg, Garcia, Grantham, Guzman, Holbert, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, and Scott.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills -- Final Passage Calendar (SB17-065, SB17-059, SB17-007, SB17-056) of Thursday, February 9, was laid over until Friday, February 10, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB17-066, SB17-115, HB17-1058, SB17-033, SB17-127, SB17-124, SB17-077, SB17-159, SB17-160, SB17-166, SB17-168, SB17-170, SB17-172, SB17-174 were made Special Orders at 9:18 a.m.

Committee of the Whole

The hour of 9:18 a.m. having arrived, Senator Baumgardner 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 Baumgardner 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:

SB17-066 by Senator(s) **Cooke and Fields**; also Representative(s) Saine and Lebsock--Concerning clarifying retroactively the authority of a municipality to employ a police force without going through sunrise review.

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

SB17-115 by Senator(s) **Cooke**; also Representative(s) Willett and Foote--Concerning an expansion of the exception to the crime of possession of sexually exploitative material for persons involved in sexually exploitative material cases.

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

HB17-1058 by Representative(s) Thurlow; also Senator(s) **Kerr**--Concerning the scheduled repeal of reports by the department of personnel to the general assembly.

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

SB17-033 by Senator(s) **Aguilar**; also Representative(s) Lawrence--Concerning the authority of a professional nurse to delegate dispensing authority for over-the-counter medications.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 26, page 74 and placed in members' bill files.)

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

SB17-127 by Senator(s) **Tate**; also Representative(s) Pabon--Concerning an expansion of the exemption from the requirements that apply to a mortgage loan originator to include up to three loans per year without compensation between family members.

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

SB17-124 by Senator(s) **Moreno and Martinez Humenik**; also Representative(s) Nordberg and Hooton--Concerning a correction to the "Colorado Uniform Trust Decanting Act".

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

SB17-077 by Senator(s) **Jahn**; also Representative(s) Willett and Kraft-Tharp--Concerning the eligibility of certain government agencies to apply for a special event permit to sell alcohol beverages.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, February 8, page 156 and placed in members' bill files.)

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

SB17-159 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning a supplemental appropriation to the department of corrections.

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

SB17-160 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning a supplemental appropriation to the department of education.

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

SB17-166 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning a supplemental appropriation to the department of military and veterans affairs.

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

SB17-168 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning a supplemental appropriation to the department of public safety.

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

SB17-170 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning a supplemental appropriation to the department of state.

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

SB17-172 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning funding for capital construction, and making supplemental appropriations in connection therewith.

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

SB17-174 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning the allocation of money by the Colorado commission on higher education for tuition assistance for members of the National Guard.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-066, SB17-115, SB17-033 as amended, SB17-127, SB17-124, SB17-077 as amended, SB17-159, SB17-160, SB17-166, SB17-168, SB17-170, SB17-172, SB17-174, HB17-1058.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB17-161, SB17-162, SB17-163, SB17-164, SB17-165, SB17-167, SB17-169, SB17-171, SB17-173, SB17-175, SB17-176 were made Special Orders at 9:26 a.m.

Committee of the Whole

The hour of 9:26 a.m. having arrived, Senator Baumgardner moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Baumgardner 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:

SB17-161 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.

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

SB17-162 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning a supplemental appropriation to the department of health care policy and financing.

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

SB17-163 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning a supplemental appropriation to the department of human services.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 8, page 157 and placed in members' bill files.)

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

SB17-164 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning a supplemental appropriation to the judicial department.

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

SB17-165 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning a supplemental appropriation to the department of law.

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

SB17-167 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning a supplemental appropriation to the department of personnel.

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

SB17-169 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning a supplemental appropriation to the department of revenue.

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

SB17-171 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning a supplemental appropriation to the department of transportation.

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

SB17-173 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning adjustments in the amount of total program funding for public schools for the 2016-17 budget year, and, in connection therewith, making an appropriation.

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

SB17-175 by Senator(s) **Lambert**; also Representative(s) Hamner--Concerning the transfer of money between state self-insurance funds at the request of the executive director of the department of personnel.

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

SB17-176 by Senator(s) **Moreno**; also Representative(s) Rankin--Concerning authorization to use money in the Colorado state titling and registration account to issue devices that confirm that a person has registered a motor vehicle.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 8, page 158 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 -- SPECIAL ORDERS

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-161, SB17-162, SB17-163 as amended, SB17-164, SB17-165, SB17-167, SB17-169, SB17-171, SB17-173, SB17-175, SB17-176 as amended.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, February 9, was laid over until Friday, February 10, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SB17-113, SB17-062, SB17-090, SB17-083, SB17-120, SB17-055.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, February 10, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

31st Legislative Day Friday, February 10, 2017

Prayer — By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

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

Roll Call — Present--34
Excused--1, Aguilar.

Quorum — The President announced a quorum present.

Pledge — By Senator Kagan.

Reading of the Journal — On motion of Senator Coram, reading of the Journal of Thursday, February 9, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance — After consideration on the merits, the Committee recommends that **SB17-149** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **SB17-038** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **SB17-112** 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 4, line 12, strike "17-___," and substitute "17-112,".

Page 7, line 3, after "(2)(d)" insert "and (2.5)(a)".

Page 7, after line 16 insert:

"(2.5) (a) EXCEPT AS SET FORTH IN SECTION 29-2-106.1 (5)(b), within three years after the due date of the return showing the overpayment or one year after the date of overpayment, whichever is later, a vendor shall file any claim for refund with the executive director of the department of revenue. The executive director shall promptly examine such claim and shall make a refund or allow a credit to any vendor who establishes that such vendor overpaid the tax due pursuant to this article.".

Finance — After consideration on the merits, the Committee recommends that **HB17-1019** 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, strike lines 19 through 25.

Strike page 3 and substitute:

"**SECTION 2. Applicability.** This act applies to applications for treasurer's deeds commenced on or after July 1, 2017.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

Education

After consideration on the merits, the Committee recommends that **SB17-123** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-106** 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 "(23)(a)(VIII)" and substitute "(19)(a)(XII)".

Page 2, line 11, strike "(23)" and substitute "(19)".

Page 2, line 12, strike "2022:" and substitute "2020:".

Page 2, line 13, strike "(VIII)" and substitute "(XII)".

Page 3, line 4, strike "2022." and substitute "2020.".

Page 3, strike lines 19 and 20 and substitute "IS AUTHORIZED UNDER THIS ARTICLE 37.3.".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1060** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-004** be referred to the Committee of the Whole with favorable recommendation.

Education

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

MEMBERS OF THE
BOARD OF TRUSTEES OF METROPOLITAN
STATE UNIVERSITY OF DENVER

effective December 31, 2016 for a term expiring December 31, 2019:

John Paul Pogge of Greenwood Village, Colorado, an Unaffiliated, reappointed;

effective December 31, 2016 for a term expiring December 31, 2020:

James Michael Mulligan of Denver, Colorado, an Unaffiliated, appointed.

SENATE SERVICES REPORT

Correctly Engrossed: SB17-033, 066, 077, 115, 124, 127, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, and 176.
Correctly Reengrossed: SB17-041, 050, and 076.
Correctly Revised: HB17-1058.

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

Senate in recess. Senate reconvened.

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

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

SB17-066 by Senator(s) Cooke and Fields; also Representative(s) Saine and Lebsock--Concerning clarifying retroactively the authority of a municipality to employ a police force without going through sunrise review.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Gardner, Grantham, Lambert, Lundberg, Martinez Humenik, and Todd.

SB17-115 by Senator(s) Cooke; also Representative(s) Willett and Foote--Concerning an expansion of the exception to the crime of possession of sexually exploitative material for persons involved in sexually exploitative material cases.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Fields, Grantham, Lambert, Lundberg, and Todd.

HB17-1058 by Representative(s) Thurlow, Arndt; also Senator(s) Kerr, Moreno, Tate--Concerning the scheduled repeal of reports by the department of personnel to the general assembly.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Holbert, Martinez Humenik, Merrifield, Priola, and Todd.

SB17-033 by Senator(s) Aguilar; also Representative(s) Lawrence--Concerning the authority of a professional nurse to delegate dispensing authority for over-the-counter medications.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Court, Crowder, Fields, Garcia, Holbert, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Todd, and Zenzinger.

SB17-127 by Senator(s) Tate; also Representative(s) Pabon--Concerning an expansion of the exemption from the requirements that apply to a mortgage loan originator to include up to three loans per year without compensation between family members.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Grantham, Holbert, and Moreno.

SB17-124 by Senator(s) Moreno and Martinez Humenik, Kerr, Tate; also Representative(s) Nordberg and Hooton, Arndt, Thurlow--Concerning a correction to the "Colorado Uniform Trust Decanting Act".

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Priola.

SB17-077 by Senator(s) Jahn; also Representative(s) Willett and Kraft-Tharp, Nordberg--Concerning the eligibility of certain government agencies to apply for a special event permit to sell alcohol beverages.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Court, Crowder, Grantham, Holbert, Kerr, Martinez Humenik, and Moreno.

SB17-159 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of corrections.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

SB17-160 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of education.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Donovan, Fields, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Tate, and Zenzinger.

SB17-166 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of military and veterans affairs.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Kerr, Merrifield, and Zenzinger.

SB17-168 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of public safety.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder.

SB17-170 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of state.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

SB17-172 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning funding for capital construction, and making supplemental appropriations in connection therewith.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Kefalas.

SB17-174 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the allocation of money by the Colorado commission on higher education for tuition assistance for members of the National Guard.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Court, Crowder, Grantham, Hill, Jones, Kefalas, Kerr, Martinez Humenik, Neville T., Priola, Sonnenberg, and Tate.

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:

SB17-065 by Senator(s) Lundberg, Aguilar; also Representative(s) Lontine--Concerning a requirement that health care providers disclose the charges they impose for common health care services when payment is made directly rather than by a third party.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Crowder, Donovan, Gardner, Hill, Holbert, Jahn, Kefalas, Lambert, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, and Todd.

SB17-059 by Senator(s) Lundberg, Cooke; also Representative(s) Singer--Concerning an exemption from the rule requiring a vehicle to signal an intention to leave the current lane of travel when using a roundabout.

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

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	N
Crowder	N	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	N		

Less than a majority of all members elected to the Senate having voted in the affirmative, the bill was **lost**.

SB17-007 by Senator(s) Marble, Grantham, Holbert, Neville T., Sonnenberg; also Representative(s) Saine and Humphrey--Concerning the repeal of certain provisions concerning ammunition magazines.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Crowder, Gardner, Hill, Lambert, Lundberg, Priola, Scott, and Smallwood.

SB17-056 by Senator(s) Kerr, Tate, Moreno; also Representative(s) Arndt, Thurlow--Concerning the scheduled repeal of reports by the department of public health and environment to the general assembly.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Court, Grantham, Guzman, Holbert, Kagan, Kefalas, Martinez Humenik, Merrifield, Priola, and Todd.

SB17-161 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Donovan.

SB17-162 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of health care policy and financing.

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(J.002), by Senator Lambert.

Amend engrossed bill, page 40, after line 17 insert:

"**SECTION 3. Appropriation to the department of health care**

policy and financing for the fiscal year beginning July 1, 2016. In Session Laws of Colorado 2016, section 11 of chapter 270, (SB 16-199), **amend** (1) as follows:

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. ANY MONEY APPROPRIATED IN THIS SECTION NOT EXPENDED PRIOR TO JULY 1, 2017, IS FURTHER APPROPRIATED TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING FOR THE 2017-18 STATE FISCAL YEAR FOR THE SAME PURPOSE.".

Renumber succeeding sections accordingly.

PURPOSE: Corrects a drafting error. Adds authority that was omitted from the introduced bill for the Department of **Health Care Policy and Financing** to take an extra year to spend $225,000 cash funds that was donated by providers of the Program for All-inclusive Care for the Elderly (PACE). The money is to develop an alternative payment model for PACE providers pursuant to S.B. 16-199.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Health Care Policy and Financing	$0	$0	$0	$0	$0	0.0
	$0	$0	$0	$0	$0	0.0

The amendment was **passed** on the following roll call vote:

YES	31		NO	3		EXCUSED	1		ABSENT	0	
Aguilar		E	Garcia		Y	Kerr		Y	Scott		Y
Baumgardner		N	Gardner		Y	Lambert		Y	Smallwood		Y
Cooke		Y	Guzman		Y	Lundberg		Y	Sonnenberg		N
Coram		Y	Hill		Y	Marble		Y	Tate		Y
Court		Y	Holbert		Y	Martinez Humenik		Y	Todd		Y
Crowder		N	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		Y	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

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

YES	29		NO	5		EXCUSED	1		ABSENT	0	
Aguilar		E	Garcia		Y	Kerr		Y	Scott		Y
Baumgardner		N	Gardner		Y	Lambert		Y	Smallwood		Y
Cooke		N	Guzman		Y	Lundberg		Y	Sonnenberg		N
Coram		N	Hill		Y	Marble		Y	Tate		Y
Court		Y	Holbert		Y	Martinez Humenik		Y	Todd		Y
Crowder		N	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		Y	President		Y
Fields		Y	Kefalas		Y	Priola		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: Zenzinger.

SB17-163 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of human services.

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

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Donovan, Fields, Kefalas, Kerr, and Todd.

SB17-164 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the judicial department.

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

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Kefalas.

SB17-165 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of law.

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

YES	25	NO	9	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Cooke, Hill, and Scott.

SB17-167 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of personnel.

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

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder.

SB17-169 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of revenue.

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

YES	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

SB17-171 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of transportation.

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

YES	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Fields, Guzman, Hill, Martinez Humenik, Merrifield, Todd, and Zenzinger.

SB17-173 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning adjustments in the amount of total program funding for public schools for the 2016-17 budget year, and, in connection therewith, making an appropriation.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Court, Crowder, Donovan, Fenberg, Fields, Guzman, Jones, Kagan, Kerr, Martinez Humenik, Merrifield, Todd, Williams A., and Zenzinger.

SB17-175 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the transfer of money between state self-insurance funds at the request of the executive director of the department of personnel.

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

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

SB17-176 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Rankin, Hamner, Young--Concerning authorization to use money in the Colorado state titling and registration account to issue devices that confirm that a person has registered a motor vehicle, and, in connection therewith, making an appropriation.

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

YES	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Court, and Todd.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-113 by Senator(s) Neville T.; also Representative(s) Everett--Concerning a requirement that the total employer contribution rates for public employees' retirement association employers in the 2018 calendar year are the maximum total employer contribution rates for future calendar years.

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

SB17-090 by Senator(s) Baumgardner; also Representative(s) Mitsch Bush--Concerning how to measure the level of delta-9 tetrahydrocannabinol in industrial hemp.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, February 3, page 138 and placed in members' bill files.)

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

SB17-083 by Senator(s) Kagan, Scott; also Representative(s) Foote, Willett--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

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

SB17-120 by Senator(s) Gardner; --Concerning the requirement of United States citizenship to be a peace officer in Colorado.

Laid over until Monday, February 13, retaining its place on the calendar.

SB17-062 by Senator(s) Neville T., Baumgardner, Cooke, Crowder, Grantham, Holbert, Jahn, Lundberg, Marble, Priola, Scott, Sonnenberg, Tate; also Representative(s) Humphrey, Catlin, Everett, Leonard, Lundeen, Neville P., Saine, Van Winkle, Williams D., Wilson--Concerning the right to free speech on campuses of public institutions of higher education.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate journal, February 3, page 137, was **lost**.)

Amendment No. 2(L.006), by Senator Neville.

Amend printed bill, page 2, lines 4 and 5, strike "**court actions**" and substitute "**legislative declaration**".

Page 2, before line 6 insert:

"(1) THE FIRST AMENDMENT OF THE UNITED STATES CONSTITUTION AND ARTICLE II, SECTION 10 OF THE COLORADO CONSTITUTION EACH PROTECT THE RIGHT TO FREE SPEECH, INCLUDING THE SPEECH OF STUDENTS ENROLLED AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION. THE GENERAL ASSEMBLY DECLARES THAT IT IS A MATTER OF STATEWIDE INTEREST TO PROTECT THE RIGHTS OF STUDENTS TO EXERCISE THEIR FREEDOM OF SPEECH ON THE CAMPUSES OF PUBLIC INSTITUTIONS OF HIGHER EDUCATION, WHILE RECOGNIZING THE RIGHT OF THOSE

INSTITUTIONS OF HIGHER EDUCATION TO ENACT REASONABLE TIME, PLACE, AND MANNER RESTRICTIONS THAT PRESERVE THEIR ABILITY TO FULFILL THEIR EDUCATIONAL MISSIONS. AT THE SAME TIME, THE GENERAL ASSEMBLY DECLARES THAT STUDENT EXPRESSION ON THE CAMPUSES OF INSTITUTIONS OF HIGHER EDUCATION IS A VITAL COMPONENT OF THE EDUCATIONAL ENVIRONMENT AT THESE INSTITUTIONS OF HIGHER EDUCATION AND THAT PROMOTING THE FREE AND UNFETTERED EXCHANGE OF IDEAS IN THIS MARKETPLACE OF IDEAS IS ONE WAY IN WHICH THESE INSTITUTIONS OF HIGHER EDUCATION FULFILL THEIR EDUCATIONAL MISSIONS.".

Renumber succeeding subsections accordingly.

Page 2, after line 7 insert:

"(a) "EXPRESSION" MEANS ANY LAWFUL VERBAL OR WRITTEN MEANS BY WHICH INDIVIDUALS MAY COMMUNICATE IDEAS TO ONE ANOTHER, INCLUDING ALL FORMS OF PEACEFUL ASSEMBLY, PROTESTS, SPEAKING VERBALLY, HOLDING SIGNS, CIRCULATING PETITIONS, AND DISTRIBUTING WRITTEN MATERIALS. "EXPRESSION" DOES NOT INCLUDE SPEECH THAT IS PRIMARILY FOR A COMMERCIAL PURPOSE, INCLUDING THE PROMOTION, SALE, OR DISTRIBUTION OF ANY PRODUCT OR SERVICE.".

Reletter succeeding paragraphs accordingly.

Page 2, strike lines 10 through 15 and substitute:

"(c) "STUDENT" MEANS A PERSON WHO IS ENROLLED FOR EDUCATIONAL PURPOSES AT AN INSTITUTION OF HIGHER EDUCATION.

(d) "STUDENT FORUM" MEANS, AS APPLIED TO STUDENTS, ANY GENERALLY ACCESSIBLE, OPEN, OUTDOOR AREA ON THE CAMPUS OF AN INSTITUTION OF HIGHER EDUCATION, AS WELL AS ANY NONACADEMIC AND PUBLICLY OPEN PORTION OF A FACILITY THAT THE INSTITUTION OF HIGHER EDUCATION HAS TRADITIONALLY MADE AVAILABLE TO STUDENTS FOR EXPRESSIVE PURPOSES.".

Page 2, line 16, after "NOT" insert "LIMIT OR".

Page 2, strike lines 17 through 19 and substitute "A STUDENT'S EXPRESSION IN A STUDENT FORUM, INCLUDING SUBJECTING A STUDENT TO DISCIPLINARY ACTION RESULTING FROM HIS OR HER EXPRESSION, BECAUSE OF THE CONTENT OR VIEWPOINT OF THE EXPRESSION OR BECAUSE OF THE REACTION OR OPPOSITION BY LISTENERS OR OBSERVERS TO SUCH EXPRESSION.".

Page 2, strike lines 20 through 23 and substitute:

"(4) AN INSTITUTION OF HIGHER EDUCATION SHALL NOT DESIGNATE ANY AREA ON CAMPUS AS A FREE SPEECH ZONE OR OTHERWISE CREATE POLICIES IMPLYING THAT ITS STUDENTS' EXPRESSIVE ACTIVITIES ARE RESTRICTED TO PARTICULAR AREAS OF CAMPUS. AN INSTITUTION OF HIGHER EDUCATION SHALL NOT, EXCEPT FOR THE PURPOSE OF ENACTING TIME, PLACE, AND MANNER RESTRICTIONS PERMITTED PURSUANT TO SUBSECTION (5) OF THIS SECTION, RESTRICT THE RIGHT OF STUDENTS TO ENGAGE IN EXPRESSION IN A STUDENT FORUM.".

Page 3, lines 2 and 3, strike "SPEECH THAT:" and substitute: "EXPRESSION IN A STUDENT FORUM UNLESS THE RESTRICTIONS:".

Page 3, strike lines 4 through 8 and substitute:

"(a) ARE REASONABLE;".

Page 3, line 9, strike "(III)" and substitute "(b)".

Page 3, line 10, strike "REGULATED".

Page 3, line 11, strike "(IV)" and substitute "(c)".

Page 3, line 13, strike "(V)" and substitute "(d)".

Page 3, after line 14 insert:

"(6) (a) NOTHING IN THIS SECTION GRANTS OTHER MEMBERS OF THE COLLEGE OR UNIVERSITY COMMUNITY THE RIGHT TO DISRUPT PREVIOUSLY SCHEDULED OR RESERVED ACTIVITIES IN A PORTION OR SECTION OF THE STUDENT FORUM AT THAT SCHEDULED TIME.

(b) NOTHING IN THIS SECTION SHALL BE INTERPRETED AS PREVENTING AN INSTITUTION OF HIGHER EDUCATION FROM PROHIBITING, LIMITING, OR RESTRICTING EXPRESSION THAT IS NOT PROTECTED UNDER THE FIRST AMENDMENT.".

Renumber succeeding subsections accordingly.

Page 3, line 15, strike "THE FOLLOWING PERSONS" and substitute "ANY STUDENT WHO HAS BEEN DENIED ACCESS TO A STUDENT FORUM FOR EXPRESSIVE PURPOSES PROTECTED BY THIS SECTION".

Page 3, line 17, strike "FEES:" and substitute "FEES.".

Page 3, strike lines 18 through 20.

Page 3, line 21, strike "(5)" and substitute "(6)".

Page 3, line 26, strike "PERSON" and substitute "STUDENT".

Page 4, line 2, strike "OR EACH".

Page 4, strike line 3.

Amendment No. 3(L.007), by Senator Neville.

Amend the Neville floor amendment (SB062_L.006), page 3, strike lines 18 and 19 and substitute "Page 4, strike lines 1 through 5 and substitute "OCCURRED.".".

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.)

SB17-055 by Senator(s) Neville T., Crowder, Gardner, Grantham, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Sonnenberg, Tate; also Representative(s) Everett, Becker J., Beckman, Buck, Humphrey, Landgraf, Lawrence, Leonard, Lewis, Liston, Lundeen, McKean, Navarro, Neville P., Nordberg, Rankin, Ransom, Saine, Van Winkle, Willett, Williams D., Wilson, Wist--Concerning the prohibition of discrimination against employees based on labor union participation.

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.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB17-062 by Senator(s) Neville T., Baumgardner, Cooke, Crowder, Grantham, Holbert, Jahn, Lundberg, Marble, Priola, Scott, Sonnenberg, Tate; also Representative(s) Humphrey, Catlin, Everett, Leonard, Lundeen, Neville P., Saine, Van Winkle, Williams D., Wilson--Concerning the right to free speech on campuses of public institutions of higher education.

Senator Fenberg moved to amend the Report of the Committee of the Whole to show that the following Fenberg floor amendment, (L.008) to SB17-062, did pass.

Amend the Neville floor amendment (SB062_L.006), page 1, line 28, after the period insert ""EXPRESSION" INCLUDES VOTER REGISTRATION ACTIVITIES.".

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 was **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

SB17-055 by Senator(s) Neville T., Crowder, Gardner, Grantham, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Sonnenberg, Tate; also Representative(s) Everett, Becker J., Beckman, Buck, Humphrey, Landgraf, Lawrence, Leonard, Lewis, Liston, Lundeen, McKean, Navarro, Neville P., Nordberg, Rankin, Ransom, Saine, Van Winkle, Willett, Williams D., Wilson, Wist--Concerning the prohibition of discrimination against employees based on labor union participation.

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Merrifield floor amendment, (L.006) to SB 17-055, did pass.

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

"**8-3.3-102. Prohibited activities.** (1) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, AN EMPLOYER SHALL NOT DISCRIMINATE AGAINST AN EMPLOYEE WHILE CARDS ARE BEING CIRCULATED, DURING COLLECTIVE BARGAINING, OR WHILE A LABOR ELECTION IS PENDING, BY:

(a) APPLYING PHYSICAL RESTRAINT;
(b) PREVENTING BATHROOM USE;
(c) ELIMINATING LUNCH BREAKS;
(d) REDUCING PAY; OR
(e) DEMOTING THE EMPLOYEE.".

Page 3, strike lines 1 through 8.

Renumber succeeding C.R.S. sections accordingly.

Page 4, strike lines 17 through 27.

Strike pages 5 through 8.

Page 9, strike lines 1 through 17.

Renumber succeeding section accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-113, SB17-090 as amended, SB17-083, SB17-062 as amended, SB17-055.
Laid over until Monday, February 13: SB17-120.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-084** be postponed indefinitely.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

effective January 9, 2017, for a term expiring on January 7, 2019:

Wendy Moser of Highlands Ranch, Colorado, a Republican, and occasioned by the resignation of Joshua B. Epel of Greenwood Village, Colorado, appointed;

effective January 9, 2017, for a term expiring the Monday preceding the second Tuesday in January 2021:

Jeffrey Paul Ackermann of Denver, Colorado, a Democrat, and to serve as Chair, appointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy 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 WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for a term expiring October 1, 2020:

Steven D. Price of Denver, Colorado, a resident from within the city and county of Denver who has experience in planning and development of water projects, appointed.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HJR17-1003** be referred to the Senate for final action.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB17-036** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB17-1030** 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 12, strike lines 14 through 24 and substitute "(4) and (6); and **repeal** (1), (3), and (5) as follows:

37-42-128. Collection of assessments. (1) ~~The county treasurer of the county wherein the office of an irrigation district is located shall be and is hereby constituted ex officio district treasurer of such irrigation district and shall be liable upon his official bond and to indictment and criminal prosecution for malfeasance, misfeasance, or failure to perform any duty prescribed in this article, either as county treasurer or as district treasurer, as is provided by law in like or other cases as county treasurer. Said treasurer shall collect, receive, and receipt for all moneys belonging to the district.~~".

Page 13, strike lines 9 through 17 and substitute "~~the person tendering the same owes. Payment of irrigation district assessments shall be receipted for upon the same receipt required in the collection of general real estate taxes, but, in the case of payment of only general tax or irrigation district assessment and the nonpayment of the other, such nonpayment shall be clearly indicated upon such receipt so issued, and the payment of the one shall in no way affect the lien or obligation of the unpaid tax or assessment, but each shall exist and be enforceable separately.~~".

Page 13, strike lines 20 through 27.

Page 14, strike lines 1 through 24 and substitute "~~county in which the office of said district is located, on the first Monday of each month,~~ shall remit to the district treasurer all ~~moneys, warrants, coupons, or bonds theretofore~~ MONEY collected or received by him OR HER on account of ~~said~~ THE district. ~~Every county treasurer shall keep a general fund account, a bond fund account, and, in the case of a contract with the United States, a United States contract fund account. In the bond fund account shall be placed all moneys received from taxation for the payment of bonds and the interest thereon. In the United States contract fund account shall be placed all moneys received for payments due or to become due the United States under any contract between the district and the United States.~~

~~(5) All other district moneys from whatever sources shall be placed in the general fund, and the three funds kept separate at all times. The district treasurer shall pay out of said bond and United States contract fund, when due, the interest and principal of the bonds of said district, at the time and place specified in said bonds, or all payments due to the United States under any contract between the district and the United States, at the time and in the manner provided in said contract, and shall pay out of the general fund only upon warrants signed by the person duly authorized by the board of directors of said district. as provided in this section.~~".

Page 15, line 1, strike "respective funds," and substitute "~~respective funds~~ DISTRICT ACCOUNTS,".

Page 15, line 2, strike "RESPECTIVE FUNDS" and substitute "DISTRICT ACCOUNTS".

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB17-100** 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 3, line 6, strike "PRIMARILY".

Page 6, line 1, after "(a)" insert "(I)".

Page 6, after line 6 insert:

"(II) NOTWITHSTANDING SUBSECTION (2)(a) OR (2)(b) OF THIS SECTION, A PLAINTIFF MAY SUE AND RECOVER CIVIL DAMAGES FROM A VOLUNTEER BASED UPON A NEGLIGENT ACT OR OMISSION INVOLVING THE OPERATION OF A MOTOR VEHICLE DURING A LAND STEWARDSHIP ACTIVITY; EXCEPT THAT THE AMOUNT RECOVERED FROM THE VOLUNTEER SHALL NOT EXCEED THE LIMITS OF APPLICABLE INSURANCE COVERAGE MAINTAINED BY OR ON BEHALF OF THE VOLUNTEER WITH RESPECT TO THE NEGLIGENT OPERATION OF A MOTOR VEHICLE IN SUCH CIRCUMSTANCES. NOTHING IN THIS SUBSECTION (5)(a)(II) LIMITS THE RIGHT OF A PLAINTIFF TO RECOVER FROM A POLICY OF UNINSURED OR UNDERINSURED MOTORIST COVERAGE AVAILABLE TO THE PLAINTIFF AS A RESULT OF A MOTOR VEHICLE ACCIDENT.".

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB17-109** 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, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **add** 35-60-116 as follows:

35-60-116. Study - hemp products in animal feed - repeal. (1) THE COMMISSIONER SHALL CREATE A GROUP TO STUDY THE FEASIBILITY OF INCLUDING HEMP PRODUCTS IN ANIMAL FEED. THE COMMISSIONER SHALL INCLUDE REPRESENTATION IN THE GROUP OF THE FOLLOWING: A HEMP PRODUCER, A HEMP PROCESSOR, A LEGAL EXPERT, A PERSON FROM AN INSTITUTION OF HIGHER EDUCATION WHO HAS STUDIED HEMP POLICY, A VETERINARIAN, A LIVESTOCK PRODUCER, AND ANY OTHER PERSON THE COMMISSIONER DETERMINES WOULD FACILITATE UNDERSTANDING THE LEGAL, PRACTICAL, OR BUSINESS CONSIDERATIONS OF INCLUDING HEMP PRODUCTS IN ANIMAL FEED.

(2) THE GROUP SHALL BEGIN MEETING AS SOON AS PRACTICAL AFTER THE EFFECTIVE DATE OF THIS ACT AND SHALL REACH ITS CONCLUSIONS AND MAKE ANY LEGISLATIVE RECOMMENDATIONS BY DECEMBER 31, 2017.

(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2018.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

MESSAGE FROM THE HOUSE

February 10, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1001, 1131.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1048, amended as printed in House Journal, February 9, 2017.
HB17-1041, amended as printed in House Journal, February 9, 2017.
HB17-1096, amended as printed in House Journal, February 9, 2017.

The House has passed on Third Reading and returns herewith SB17-044.

The House has adopted and returns herewith SJM17-001, amended as printed in House Journal, February 10, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

February 10, 2017

We herewith transmit:

Without comment, HB17-1001 and 1131.
Without comment, as amended, HB17-1041, 1048, and 1096.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Governor's appointments to the Public Utilities Commission were made Special Orders.

SPECIAL ORDERS -- CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by roll call votes:

MEMBER OF THE
PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

effective January 9, 2017, for a term expiring on January 7, 2019:

Wendy Moser of Highlands Ranch, Colorado, a Republican, and occasioned by the resignation of Joshua B. Epel of Greenwood Village, Colorado, appointed;

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

effective January 9, 2017, for a term expiring the Monday preceding the second Tuesday in January 2021:

Jeffrey Paul Ackermann of Denver, Colorado, a Democrat, and to serve as Chair, appointed.

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Lieutenant Governor Donna Lynne, acting on behalf of the State while Governor John W. Hickenlooper was absent from the State, was read and assigned to committee as follows:

December 21, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR ADAMS STATE UNIVERSITY

for terms expiring December 31, 2020:

Wendell Lorenzo Pryor of Denver, Colorado, a Democrat, reappointed;

Reeves Alderson Brown of Denver, Colorado, a Republican, appointed;

Honorable Pamela Sue Bricker of Del Norte, Colorado, an Unaffiliated, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W. Hickenlooper is absent from the State.
Rec'd: 1/4/2017
Effie Ameen, Secretary of the Senate

Committee on Education

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, February 13, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

34th Legislative Day Monday, February 13, 2017

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--34
Excused--1, Aguilar.

Quorum — The President announced a quorum present.

Pledge — By Senator Moreno.

Reading of the Journal — On motion of Senator Court, reading of the Journal of Friday, February 10, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SB17-055, 062, 083, 090, and 113.
Correctly Reengrossed: SB17-007, 033, 056, 065, 066, 077, 115, 124, 127, 159 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, and 176.
Correctly Rerevised: HB17-1058.
Correctly Enrolled: SB17-044.

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:

SB17-113 by Senator(s) Neville T.; also Representative(s) Everett--Concerning a requirement that the total employer contribution rates for public employees' retirement association employers in the 2018 calendar year are the maximum total employer contribution rates for future calendar years.

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

YES	18	NO	16	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Scott, and Sonnenberg.

SB17-090 by Senator(s) Baumgardner; also Representative(s) Mitsch Bush--Concerning how to measure the level of delta-9 tetrahydrocannabinol in industrial hemp.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Coram, Crowder, Fenberg, Fields, Grantham, Holbert, Jones, Lambert, Marble, Martinez Humenik, Merrifield, Neville T., Scott, Sonnenberg, and Todd.

SB17-083 by Senator(s) Kagan, Scott; also Representative(s) Foote, Willett--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	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

SB17-062 by Senator(s) Neville T., Baumgardner, Cooke, Crowder, Grantham, Holbert, Jahn, Lundberg, Marble, Priola, Scott, Sonnenberg, Tate; also Representative(s) Humphrey, Catlin, Everett, Leonard, Lundeen, Neville P., Saine, Van Winkle, Williams D., Wilson--Concerning the right to free speech on campuses of public institutions of higher education.

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

Third Reading Amendment No. 1(L.009), by Senator Neville.

Amend the engrossed bill, page 3, line 7, after "EXPRESSION" insert "INCLUDES VOTER REGISTRATION ACTIVITIES BUT".

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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: Gardner, Hill, Kefalas, Lambert, Martinez Humenik, and Smallwood.

SB17-055 by Senator(s) Neville T., Crowder, Gardner, Grantham, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Sonnenberg, Tate; also Representative(s) Everett, Becker J., Beckman, Buck, Humphrey, Landgraf, Lawrence, Leonard, Lewis, Liston, Lundeen, McKean, Navarro, Neville P., Nordberg, Rankin, Ransom, Saine, Van Winkle, Willett, Williams D., Wilson, Wist--Concerning the prohibition of discrimination against employees based on labor union participation.

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

YES	18	NO	16	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Hill, and Smallwood.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Cooke was called to act as Chair.

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

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

SB17-097 by Senator(s) Martinez Humenik, Court, Gardner, Lundberg, Moreno; also Representative(s) Coleman--Concerning the presumption that a conveyance of an interest in land also conveys an interest in adjoining property consisting of a vacated right-of-way.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 9, page 161 and placed in members' bill files.)

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

SB17-154 by Senator(s) Gardner; also Representative(s) Wist--Concerning the "Uniform Unsworn Declarations Act".

Ordered removed from the General Orders--Second Reading of Bills--Consent Calendar of Monday, February 13, 2017 and placed at the end of the General Orders--Second Reading of Bills Calendar of Friday, February 17, 2017.

SB17-108 by Senator(s) Crowder, Aguilar, Kefalas; also Representative(s) Buckner--Concerning continuation of the regulation of speech-language pathologists by the director of the division of professions and occupations, and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 9, page(s) 162-163 and placed in members' bill files.)

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

SB17-122 by Senator(s) Tate; --Concerning the duties of the fallen heroes memorial commission, and, in connection therewith, repealing the commission and shifting all remaining responsibilities to the state capitol building advisory committee.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-097 as amended, SB17-108 as amended, SB17-122.
Laid over to the end of the General Orders -- Second Reading of Bills calendar of Friday, February 17: SB17-154.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-120 by Senator(s) Gardner; --Concerning the requirement of United States citizenship to be a peace officer in Colorado.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 7, page 151 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Gardner.

Amend the Judiciary Committee Report, dated February 6, 2017, page 1, strike line 1 and substitute:

"Amend printed bill, page 2, line 5, strike "**provision - repeal.**" and substitute "**provision.**".

Page 2, line 18, strike "2020." and substitute "2022, UNLESS THE P.O.S.T. BOARD EXTENDS THE DATE FOR COMPLIANCE AS PROVIDED IN SUBSECTION (3)(c) OF THIS SECTION.".

Page 2, line 21, strike "2020." and substitute "2022, UNLESS THE P.O.S.T. BOARD EXTENDS THE DATE FOR COMPLIANCE AS PROVIDED IN SUBSECTION (3)(c) OF THIS SECTION.".

Page 2, after line 21 insert:".

Page 1 of the report, strike line 6 and substitute:

"Page 3, strike lines 1 through 9 and substitute:

"(c) THE P.O.S.T. BOARD, UPON REQUEST OF THE EMPLOYING LAW ENFORCEMENT AGENCY OF A CERTIFIED PEACE OFFICER WHOSE COMPLIANCE WAS GRANDFATHERED IN UNDER SUBSECTION (3)(a) OF THIS SECTION, MAY EXTEND THE DATE FOR THE CERTIFIED PEACE OFFICER'S COMPLIANCE WITH THE UNITED STATES CITIZENSHIP REQUIREMENT BASED UPON A SHOWING THAT THE CERTIFIED PEACE OFFICER IS MAKING PROGRESS TOWARDS ATTAINING CITIZENSHIP AND NEEDS AN EXTENSION OF TIME.

SECTION 2. In Colorado Revised Statutes, 24-31-305, **add** (5) as follows:

24-31-305. Certification - issuance - renewal - revocation. (5) ON AND AFTER JULY 1, 2022, THE P.O.S.T. BOARD SHALL REVOKE THE CERTIFICATION OF ANY PEACE OFFICER WHO FAILS TO MEET THE UNITED STATES CITIZENSHIP REQUIREMENT SPECIFIED IN SECTION 16-2.5-101.5, UNLESS THE P.O.S.T. BOARD EXTENDS THE DATE FOR COMPLIANCE WITH THE UNITED STATES CITIZENSHIP REQUIREMENT PURSUANT TO SECTION 16-2.5-101.5 (3)(c).".".

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

SB17-110 by Senator(s) Crowder and Kefalas; also Representative(s) Danielson and Wilson--Concerning expanding the number of unrelated children to no more than four to qualify for license-exempt family child care.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 9, page 162 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 Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-120 as amended, SB17-110 as amended.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB17-112, HB17-1019, HB17-1060, SB17-036, HB17-1030, SB17-100, and SB17-109 were made Special Orders -- Consent Calendar at 11:15 a.m.

Committee of the Whole

The hour of 11:15 a.m. having arrived, Senator Cooke 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 Cooke 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:

SB17-112 by Senator(s) Neville T., Court, Hill, Jahn, Kerr, Tate, Smallwood; also Representative(s) Pabon, Covarrubias, Lawrence, Thurlow, Van Winkle, Leonard, Liston--Concerning a clarification of the effect of statutes of limitations on the dispute resolution process when a taxpayer owes sales or use tax to one local government but has erroneously paid the disputed tax to another local government.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, February 10, page 171 and placed in members' bill files.)

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

HB17-1019 by Representative(s) Valdez; also Senator(s) Coram--Concerning the amounts collected by a county treasurer upon redemption of specified property interests from a tax sale.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, February 10, page(s) 171-172 and placed in members' bill files.)

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

HB17-1060 by Representative(s) Thurlow, Arndt; also Senator(s) Tate, Kerr, Moreno--Concerning the scheduled repeal of reports by the department of health care policy and financing to the general assembly.

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

SB17-036 by Senator(s) Scott; also Representative(s) Arndt and Becker J.--Concerning the appellate process governing a district court's review of final agency actions concerning groundwater.

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

HB17-1030 by Representative(s) Arndt and Becker J., Coram; also Senator(s) Sonnenberg and Baumgardner--Concerning updates to the 1921 law governing irrigation districts.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, February 10, page(s) 189 and placed in members' bill files.)

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

SB17-100 by Senator(s) Sonnenberg; also Representative(s) Landgraf and Arndt--Concerning qualified immunity for persons performing land stewardship activities on public lands.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. (Printed in Senate Journal, February 10, page 190 and placed in members' bill files.)

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

SB17-109 by Senator(s) Donovan; also Representative(s) Arndt--Concerning the use of industrial hemp in products designed for consumption.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. (Printed in Senate Journal, February 10, page 190 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 -- SPECIAL ORDERS -- CONSENT CALENDAR

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-112 as amended, SB17-036, SB17-100 as amended, SB17-109 as amended, HB17-1019 as amended, HB17-1060, HB17-1030 as amended.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE MEMORIALS

SJM17-001 by Senator(s) Jones and Merrifield; also Representative(s) Hamner and Thurlow--Concerning the need for Congress to fund catastrophic wildfire response costs outside of federal forest management agencies' normal budgets.

Senator Jones moved that the Senate concur in House amendments to **SJM17-001**, as printed in House Journal, February 10, 2017, page 213.

A majority of all members elected to the Senate having voted in the affirmative, the motion was adopted on the following roll call vote.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Williams A.

MESSAGE FROM THE HOUSE

February 13, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1038.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1092, amended as printed in House Journal, February 10, 2017.
HB17-1094, amended as printed in House Journal, February 10, 2017.
HB17-1059, amended as printed in House Journal, February 10, 2017.

The House has passed on Third Reading and returns herewith SB17-018.

MESSAGE FROM THE REVISOR OF STATUTES

February 13, 2017

We herewith transmit:

Without comment, HB17-1038.
Without comment, as amended, HB17-1059, 1092, and 1094

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, February 14, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

35th Legislative Day Tuesday, February 14, 2017

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

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

Roll Call — Present--33
Excused--2, Aguilar, Martinez Humenik.
Present Later--1, Martinez Humenik.

Quorum — The President announced a quorum present.

Pledge — By Senator Moreno.

Reading of the Journal — On motion of Senator Court, reading of the Journal of Monday, February 13, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Senator Coram was added as a Senate joint prime sponsor on SB17-036 with Senator Scott and Represenatives Arndt and Becker J.

COMMITTEE OF REFERENCE REPORTS

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1073** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-006** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-019** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 4, strike "**Persons with Mental Illness**" and substitute "**Individuals with Behavioral or Mental Health Disorders**".

Page 3, line 9, strike "MENTAL ILLNESS" and substitute "BEHAVIORAL OR MENTAL HEALTH DISORDERS".

Page 3, lines 25 and 26, strike "PERSONS WITH MENTAL ILLNESS" and substitute "INDIVIDUALS WITH BEHAVIORAL OR MENTAL HEALTH DISORDERS".

Page 4, line 4, strike "PERSONS WITH MENTAL ILLNESS" and substitute "INDIVIDUALS WITH BEHAVIORAL OR MENTAL HEALTH DISORDERS".

Page 4, line 6, strike "ARTICLE," and substitute "ARTICLE 70,".

Page 4, lines 10 and 11, strike "PUBLIC HOSPITAL OR A LICENSED PRIVATE HOSPITAL,".

Page 4, after line 18 insert:

"(4) "OFFICE" MEANS THE OFFICE OF BEHAVIORAL HEALTH IN THE DEPARTMENT OF HUMAN SERVICES.".

Renumber succeeding subsections accordingly.

Page 4, line 21, strike "A PERSON WITH MENTAL ILLNESS" and substitute "AN INDIVIDUAL WITH BEHAVIORAL OR MENTAL HEALTH DISORDERS".

Page 4, strike lines 23 through 26.

Pages 4, line 27, strike "**persons with mental**".

Page 5, line 1, strike "**illness**" and substitute "**individuals with behavioral or mental health disorders**".

Page 5, line 7, after the period insert "PUBLIC HOSPITALS AND LICENSED PRIVATE HOSPITALS MAY ALSO, AT THEIR DISCRETION, PARTICIPATE IN THE MEDICATION FORMULARY.".

Page 5, line 13, strike "UNIT" and substitute "OFFICE".

Page 5, line 16, strike "UNIT" and substitute "OFFICE".

Page 5, line 19, strike "UNIT" and substitute "OFFICE".

Page 5, line 24, strike "PERSONS WITH MENTAL ILLNESS" and substitute "INDIVIDUALS WITH BEHAVIORAL OR MENTAL HEALTH DISORDERS".

Page 6, line 7, strike "UNIT," and substitute "OFFICE,".

Page 6, line 18, strike "UNIT" and substitute "OFFICE".

Page 7, line 4, strike "ARTICLE" and substitute "ARTICLE 70".

Page 7, line 13, strike "UNIT" and substitute "OFFICE".

Page 7, line 15, strike "UNIT," and substitute "OFFICE,".

Page 7, line 19, after "(5)" insert "(a)".

Page 8, after line 1 insert:

"(b) THIS SECTION IS EXEMPT FROM THE PROVISIONS OF SECTION 24-1-136 (11), AND THE PERIODIC REPORTING REQUIREMENT OF THAT SECTION SHALL REMAIN IN EFFECT UNTIL CHANGED BY THE GENERAL ASSEMBLY ACTING BY BILL.".

Judiciary — After consideration on the merits, the Committee recommends that **SB17-096** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-125** be referred to the Committee on Finance with favorable recommendation.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-088** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 26, before "TERMINATE" insert "NONRENEW A PROVIDER'S CONTRACT OR".

Page 4, strike lines 21 through 27 and substitute:

"(f) "TIERED NETWORK" MEANS A NETWORK THAT IDENTIFIES AND ASSIGNS SOME OR ALL TYPES OF PROVIDERS AND FACILITIES TO SPECIFIC GROUPS TO WHICH DIFFERENT PROVIDER REIMBURSEMENT, COVERED PERSON COST-SHARING, OR PROVIDER ACCESS REQUIREMENTS, OR ANY COMBINATION OF REIMBURSEMENT, COST-SHARING, OR ACCESS REQUIREMENTS, APPLY FOR THE SAME SERVICES.".

Page 6, line 5, before "UTILIZE" insert "SOLELY".

Page 7, line 15, strike "FORTY-FIVE" and substitute "SIXTY".

Page 10, line 5, strike "OR".

Page 10, line 8, strike "CARRIER." and substitute "CARRIER; OR

(c) REQUIRE A CARRIER, ITS INTERMEDIARIES, OR THE PROVIDER NETWORKS WITH WHICH A CARRIER OR INTERMEDIARY CONTRACTS TO CONTRACT WITH OR RETAIN MORE PROVIDERS ACTING WITHIN THEIR SCOPE OF PRACTICE AUTHORIZED UNDER APPLICABLE STATE LAW THAN ARE NECESSARY FOR THE CARRIER TO MAINTAIN A SUFFICIENT PROVIDER NETWORK.".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-042** be postponed indefinitely.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-143** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, line 7, before "(2)(a)(III)," insert "(1)(b)(I) introductory portion,".

Page 5, strike line 10 and substitute "**licenses permitted - requirements - repeal.** (1) (b) (I) On or after January 1, 2017, to qualify for an additional liquor-licensed drugstore license under this section, a liquor-licensed drugstore licensee, A CORPORATION WITHIN A CONTROLLED GROUP OF CORPORATIONS AS DESCRIBED IN SUBSECTION (4)(c) OF THIS SECTION, or a retail liquor store licensee that was licensed as a liquor-licensed drugstore on February 21, 2016, must apply to the state and local licensing authorities, as part of a single application, for a transfer of ownership of at least two licensed retail liquor stores that were licensed or had applied for a license on or before May 1, 2016, a change of location of one of the retail liquor stores, and a merger and conversion of the retail liquor store licenses into a single liquor-licensed drugstore license. The applicant may apply for a transfer, change of location, and merger and conversion only if all of the following requirements are met:

(2) (a) A person licensed".

Page 7, line 1, strike "of 12 midnight and ~~8 a.m.~~ 5 A.M.;" and substitute "of:

(I) 12 midnight and 8 a.m., IF SELLING FERMENTED MALT BEVERAGES IN SEALED CONTAINERS; AND

(II) 2 A.M. AND 5 A.M., IF SELLING FERMENTED MALT BEVERAGES FOR CONSUMPTION ON THE LICENSED PREMISES;".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB17-147** be postponed indefinitely.

State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that **SB17-119** be postponed indefinitely.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that **SB17-107** be referred to the Committee on Appropriations with favorable recommendation.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that **SB17-118** be postponed indefinitely.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that **SB17-098** be postponed indefinitely.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that **SB17-085** be postponed indefinitely.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that **SB17-051** be referred to the Committee of the Whole with favorable recommendation.

RECALL OF HB17-1058

Majority Leader Holbert moved for the recall of **HB17-1058** from the House for purpose of reconsideration. A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted**. The bill was ordered recalled.

SENATE SERVICES REPORT

Correctly Engrossed: SB17-036, 097, 100, 108, 109, 110, 112, 120, and 122.
Correctly Reengrossed: SB17-055, 062, 083, 090, and 113.
Correctly Revised: HB17-1019, 1030, and 1060.
Correctly Enrolled: SB17-018.

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

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

SB17-097 by Senator(s) Martinez Humenik, Court, Gardner, Lundberg, Moreno; also Representative(s) Coleman--Concerning the presumption that a conveyance of an interest in land also conveys an interest in adjoining property consisting of a vacated right-of-way.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Grantham, Holbert, and Scott.

SB17-108 by Senator(s) Crowder, Aguilar, Kefalas; also Representative(s) Buckner--Concerning continuation of the regulation of speech-language pathologists by the director of the division of professions and occupations, and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies.

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

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Fields, Jones, Martinez Humenik, Merrifield, Priola, Tate, Todd, and Williams A.

SB17-122 by Senator(s) Tate; also Representative(s) Danielson and Carver--Concerning the duties of the fallen heroes memorial commission, and, in connection therewith, repealing the commission and shifting all remaining responsibilities to the state capitol building advisory committee.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Court, Crowder, Fields, Gardner, Grantham, Hill, Kefalas, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Todd, and Williams A.

SB17-112 by Senator(s) Neville T., Court, Hill, Jahn, Kerr, Tate, Smallwood; also Representative(s) Pabon, Covarrubias, Lawrence, Thurlow, Van Winkle, Leonard, Liston--Concerning a clarification of the effect of statutes of limitations on the dispute resolution process when a taxpayer owes sales or use tax to one local government but has erroneously paid the disputed tax to another local government.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Grantham, Holbert, Kefalas, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Priola, Scott, and Todd.

HB17-1019 by Representative(s) Valdez; also Senator(s) Coram--Concerning the amounts collected by a county treasurer upon redemption of specified property interests from a tax sale.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder.

HB17-1060 by Representative(s) Thurlow, Arndt; also Senator(s) Tate, Kerr, Moreno--Concerning the scheduled repeal of reports by the department of health care policy and financing to the general assembly.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Martinez Humenik.

SB17-036 by Senator(s) Scott and Coram; also Representative(s) Arndt and Becker J.--Concerning the appellate process governing a district court's review of final agency actions concerning groundwater.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Jones, Marble, Moreno, and Sonnenberg.

HB17-1030 by Representative(s) Arndt and Becker J., Coram; also Senator(s) Sonnenberg and Baumgardner--Concerning updates to the 1921 law governing irrigation districts.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Coram, Crowder, Priola, and Scott.

SB17-100 by Senator(s) Sonnenberg; also Representative(s) Landgraf and Arndt--Concerning qualified immunity for persons performing land stewardship activities on public lands.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Coram, Crowder, Donovan, Jahn, Kefalas, Marble, Moreno, and Scott.

SB17-109 by Senator(s) Donovan; also Representative(s) Arndt--Concerning the use of industrial hemp in products designed for consumption.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Court, Fenberg, Fields, Grantham, Jones, Kefalas, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Scott, Sonnenberg, Todd, and Williams A.

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:

SB17-120 by Senator(s) Gardner; --Concerning the requirement of United States citizenship to be a peace officer in Colorado.

Laid over until Friday, February 17, retaining its place on the calendar.

SB17-110 by Senator(s) Crowder and Kefalas; also Representative(s) Danielson and Wilson--Concerning expanding the number of unrelated children to no more than four to qualify for license-exempt family child care.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Donovan, Fields, Grantham, Hill, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Neville T., Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

MESSAGE FROM THE HOUSE

February 14, 2017

Mr. President:

In response to the request of the Senate for the recall of HB17-1058, the bill is transmitted herewith.

RECONSIDERATION OF HB17-1058

HB17-1058 by Representative(s) Thurlow, Arndt; also Senator(s) Kerr, Moreno, Tate--Concerning the scheduled repeal of reports by the department of personnel to the general assembly.

Having voted on the prevailing side, Senator Kerr moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on **HB17-1058**.

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

HB17-1058 by Representative(s) Thurlow, Arndt; also Senator(s) Kerr, Moreno, Tate--Concerning the scheduled repeal of reports by the department of personnel to the general assembly.

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

Third Reading Amendment No. 1(L.005) , by Senator Kerr.

Amend rerevised bill, page, 6, line 19, strike "and (7)".

Page 6, strike line 27 and substitute:

"**SECTION 6.** In Colorado Revised Statutes, 24-30-1305.5, **amend** (7) as follows:

24-30-1305.5. High performance standards - report -

legislative declaration - definition. (7) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the office".

Renumber succeeding sections accordingly.

Page 10, line 9, strike "6" and substitute "7".

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-123 by Senator(s) Priola and Zenzinger; also Representative(s) Hamner and Wilson--Concerning a high school diploma endorsement for biliteracy.

Amendment No. 1(L.003), by Senators Priola and Zenzinger.

Amend printed bill, page 3, line 1, after "COURSES;" add "AND".

Page 3, line 2, after "(II)" insert "(A)".

Page 3, line 5, strike "AND" and substitute "OR".

Page 3, line 6, strike "(III)" and substitute "(B)".

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

SB17-106 by Senator(s) Aguilar and Coram, Kefalas; also Representative(s) Singer--Concerning the continuation of the regulation of naturopathic doctors by the director of the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the department's sunset review recommendations.

Laid over until Friday, February 17, retaining its place on the calendar.

SB17-004 by Senator(s) Tate; also Representative(s) Wist--Concerning access by medicaid recipients to nonenrolled medical providers.

Laid over until Tuesday, February 21, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-123 as amended.
Laid over until Friday, February 17: SB17-106.
Laid over until Tuesday, February 21: SB17-004.

CONSIDERATION OF RESOLUTIONS

HJR17-1003 by Representative(s) Arndt; also Senator(s) Sonnenberg--Concerning approval of water project revolving fund eligibility lists administered by the Colorado water resources and power development authority.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Baumgardner, Cooke, Gardner, Grantham, Jones, Martinez Humenik, Neville T., Scott, and Zenzinger.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
BOARD OF TRUSTEES OF METROPOLITAN
STATE UNIVERSITY OF DENVER

effective December 31, 2016 for a term expiring December 31, 2019:

John Paul Pogge of Greenwood Village, Colorado, an Unaffiliated, reappointed;

effective December 31, 2016 for a term expiring December 31, 2020:

James Michael Mulligan of Denver, Colorado, an Unaffiliated, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
COLORADO WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for a term expiring October 1, 2020:

Steven D. Price of Denver, Colorado, a resident from within the city and county of Denver who has experience in planning and development of water projects, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Local Government

After consideration on the merits, the Committee recommends that **SB17-153** be referred to the Committee on Finance with favorable recommendation.

INTRODUCTION OF RESOLUTIONS

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

SJR17-012 by Senator(s) Holbert and Smallwood; also Representative(s) Ransom and Buckner--Concerning recognizing the achievements of Rocky Vista University.

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

SJR17-013 by Senator(s) Coram; --Concerning the encouragement of stakeholder input with subsequent legislative review prior to the implementation of additional nutrient discharge controls.
Agriculture, Natural Resources, & Energy

SR17-003 by Senator(s) Tate; --Concerning the designation of February 19-25, 2017, as "Engineers' Week".

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

INTRODUCTION OF BILLS -- FIRST READING

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

SB17-179 by Senator(s) Gardner and Kerr; also Representative(s) Herod--Concerning the limitation on the amount of fees that can be assessed for allowing solar energy device installations, and, in connection therewith, extending the repeal date.
Finance

SB17-180 by Senator(s) Cooke; also Representative(s) Esgar--Concerning a streamlined approach for the enforcement of regulations governing motor carriers in matters before the public utilities commission.
Transportation

SB17-181 by Senator(s) Gardner; also Representative(s) Willett--Concerning modification of the collateral-source rule in civil litigation in which a party has insurance coverage.
Judiciary

SB17-182 by Senator(s) Gardner; also Representative(s) Neville P. and Willett--Concerning a limitation on the obligation to cover damages arising out of a motor vehicle accident when uninsured motorist insurance may cover the same damages.
Judiciary

SB17-183 by Senator(s) Gardner; --Concerning the authority for the department of military and veterans affairs to make grants related to the USS Colorado, and, in connection therewith, making an appropriation.
Local Government

SB17-184 by Senator(s) Gardner; also Representative(s) Pabon--Concerning measures to define lawful consumption of marijuana.
Business, Labor, & Technology

SB17-185 by Senator(s) Gardner; also Representative(s) Gray--Concerning the compensation of attorneys working in the office of a district attorney.
Finance

SB17-186 by Senator(s) Tate, Jahn, Priola, Smallwood, Williams A.; also Representative(s) Carver and Lawrence--Concerning methods to reduce the regulatory burden on businesses from administrative rules adopted by state agencies.
Business, Labor, & Technology

SB17-187 by Senator(s) Crowder; also Representative(s) Ginal--Concerning the authority for an exemption to the residency requirement for education-related marijuana occupational licenses.
Business, Labor, & Technology

SB17-188 by Senator(s) Marble, Baumgardner, Cooke, Holbert, Lundberg, Neville T., Sonnenberg; -- Concerning the repeal of income tax credits for innovative motor vehicles for purchases and leases entered into on or after January 1, 2018.
Finance

SB17-189 by Senator(s) Cooke; also Representative(s) Foote--Concerning elimination of the requirement that a law enforcement agency is the only entity authorized to take fingerprints for purposes of a background check.
Judiciary

SB17-190 by Senator(s) Crowder, Moreno; also Representative(s) Gray, Buckner, Ginal--Concerning prohibiting a carrier from setting fees for a dental service that is not paid for by the carrier.
Health & Human Services

SB17-191 by Senator(s) Tate; also Representative(s) Wist and Willett--Concerning market-based rates for interest on judgments.
Judiciary

SB17-192 by Senator(s) Neville T., Jahn, Priola, Williams A.; also Representative(s) Melton and Singer--Concerning provisions to allow marijuana businesses to operate more efficiently.
Business, Labor, & Technology

SB17-193 by Senator(s) Jahn and Lundberg, Moreno; also Representative(s) Pettersen and Rankin--Concerning the establishment of the "center for research into prevention strategies for, and treatment of, abuse of and addiction to opioids, other controlled substances, and alcohol" at the university of Colorado health sciences center, and, in connection therewith, making an appropriation.
Health & Human Services

SB17-194 by Senator(s) Neville T.; also Representative(s) Pabon--Concerning an exception to the statutory deadlines for making income tax refunds for returns suspected of refund-related fraud.
Finance

SB17-195 by Senator(s) Neville T. and Kerr, Priola; also Representative(s) Winter and Liston--Concerning the ability of retail liquor store licensees to obtain additional retail liquor store licenses.
State, Veterans, & Military Affairs

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJM17-001.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, February 15, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

36th Legislative Day Wednesday, February 15, 2017

Prayer — By the chaplain, Pastor Brian Henderson, First Baptist Church of Denver.

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

Roll Call — Present--33
Excused--2, Kagan, Martinez Humenik.
Present later--2, Kagan, Martinez Humenik.

Quorum — The President announced a quorum present.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 1 (b) was suspended to allow a person other than a Senator to lead the Pledge of Allegiance.

Pledge — By Michael Matthews of Sugar City, Colorado.

Reading of the Journal — On motion of Senator Court, reading of the Journal of Tuesday, February 14, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance — After consideration on the merits, the Committee recommends that **SB17-022** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **SB17-054** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **SB17-072** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-130** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-002** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 6, after "(1)" insert "(a)".

Page 2, line 8, strike "COMMENCING" and substitute "NOTWITHSTANDING ANY SCHEDULE ESTABLISHED BY THE DEPARTMENT OF REGULATORY AGENCIES TO THE CONTRARY, ON OR BEFORE NOVEMBER 1, 2017, EACH PRINCIPAL DEPARTMENT SHALL COMPLETE, OR HAVE COMPLETED PRIOR TO THAT DATE, A REVIEW OF ALL OF ITS RULES IN ACCORDANCE WITH THIS SECTION, AS THIS SECTION EXISTED PRIOR TO THE ENACTMENT OF SENATE BILL 17-002, ENACTED IN 2017.
(b) COMMENCING".

Page 2, line 9, strike "2017," and substitute "2018,".

Page 2, line 12, after "repealed." insert "THE COMPULSORY TRIENNIAL REVIEW MUST, IN PARTICULAR, TAKE INTO ACCOUNT WHETHER ANY OF EACH PRINCIPAL DEPARTMENT'S RULES ARE AFFECTED BY ANY FEDERAL OR STATE LAWS ENACTED, OR ANY FEDERAL OR STATE RULES PROMULGATED, WITHIN THE PREVIOUS THREE YEARS.".

Page 2, line 15, strike "2017," and substitute "2018,".

Page 2, line 19, after "TO" insert "EVALUATING HOW EACH AFFECTED OR POTENTIALLY AFFECTED RULE COMPORTS WITH AND ACCOUNTS FOR ANY APPLICABLE FEDERAL OR STATE LAW OR RULE PASSED WITHIN THE PREVIOUS THREE YEARS, AND IN ADDITION TO".

Page 3, after line 25 insert:

"**SECTION 2. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state money is necessary to carry out the purposes of this act.".

Renumber succeeding section accordingly.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-134** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, lines 19 and 20, strike "~~fine accepted~~ LICENSEE shall ~~be the~~ ACCEPT A FINE" and substitute "fine accepted shall be the".

Page 3, strike lines 2 through 14 and substitute:

"(7.5) (a) THE FOLLOWING APPLIES ONLY IF THE LICENSING AUTHORITY HAS DECIDED TO IMPOSE A SUSPENSION FOR A VIOLATION OF SECTION 12-47-901 (1)(a), (1)(a.5), OR (5)(a)(I) THAT OCCURS IN A SALES ROOM FOR A LICENSEE OPERATING PURSUANT TO SECTION 12-47-402 (2) OR (6), 12-47-403 (2)(e), OR 12-47-406 (1)(b):

(I) IF THE LICENSING AUTHORITY DECIDES TO ACCEPT A FINE IN LIEU OF A LICENSE SUSPENSION, THE LICENSING AUTHORITY SHALL ONLY INCLUDE IN THE COMPUTATION OF THE FINE THE ESTIMATED GROSS REVENUES OF THE RETAIL SALES OF THE SALES ROOM WHERE THE VIOLATION OCCURRED, AND NOT ANY MANUFACTURING OR WHOLESALE ACTIVITIES OF THE LICENSEE; EXCEPT THAT THE FINE MUST BE BETWEEN TWO HUNDRED AND FIVE THOUSAND DOLLARS; AND

(II) IF THE LICENSING AUTHORITY DECLINES TO ACCEPT A FINE, IT SHALL LIMIT ANY SUSPENSION TO THE DESIGNATED PREMISES FOR THE SALES ROOM WHERE THE VIOLATION OCCURRED, AND NOT ANY MANUFACTURING OR WHOLESALE ACTIVITIES OF THE LICENSEE.

(b) THE FOLLOWING APPLIES ONLY IF THE LICENSING AUTHORITY HAS DECIDED TO IMPOSE A SUSPENSION FOR A VIOLATION OF SECTION 12-47-901 (1)(a), (1)(a.5), OR (5)(a)(I) THAT OCCURS IN A RETAIL ESTABLISHMENT FOR LICENSEES OPERATING PURSUANT TO SECTION 12-47-415, 12-47-420, OR 12-47-424:

(I) IF THE LICENSING AUTHORITY DECIDES TO ACCEPT A FINE IN LIEU OF A LICENSE SUSPENSION, THE LICENSING AUTHORITY SHALL ONLY INCLUDE IN THE COMPUTATION OF THE FINE THE ESTIMATED GROSS REVENUES OF THE RETAIL ACTIVITIES OF THE LICENSEE, AND NOT ANY MANUFACTURING OR WHOLESALE ACTIVITIES OF THE LICENSEE; EXCEPT THAT THE FINE MUST BE BETWEEN TWO HUNDRED AND FIVE THOUSAND DOLLARS; AND

(II) IF THE LICENSING AUTHORITY DECLINES TO ACCEPT A FINE, IT SHALL LIMIT ANY SUSPENSION TO THE RETAIL ACTIVITIES OF THE LICENSEE, AND NOT ANY MANUFACTURING OR WHOLESALE ACTIVITIES OF THE LICENSEE.".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-148** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 3, strike line 1 and substitute "the introductory portion, (2), (3), (6), (11), (13.5), and (15); and **add** (9.5) and (11.5) as follows:".

Page 3, after line 3 insert:

"(2) "Boxing" means fighting, striking, forcing an opponent to submit, or disabling an opponent, including the disciplines of kickboxing, ~~and~~ mixed martial arts, AND MARTIAL ARTS.

(3) "Commission" means the Colorado ~~state boxing~~ COMBATIVE SPORTS commission created in section 12-10-105.".

Page 3, after line 7 insert:

"(9.5) "MARTIAL ARTS" MEANS ANY OF SEVERAL ARTS OF COMBAT OR SELF-DEFENSE THAT ARE WIDELY PRACTICED AS SPORT.

(11) "Office" means the office of ~~boxing~~ COMBATIVE SPORTS created in section 12-10-104.".

Page 3, line 9, strike "BOXING" and substitute "COMBATIVE SPORTS".

Page 4, after line 4 insert:

"**SECTION 2.** In Colorado Revised Statutes, **amend** 12-10-104 as follows:

12-10-104. Office of combative sports - creation. There is hereby created, within the division of professions and occupations in the department of regulatory agencies, the office of ~~boxing~~ COMBATIVE SPORTS. The office of ~~boxing~~ COMBATIVE SPORTS and the Colorado ~~state boxing~~ COMBATIVE SPORTS commission, created in section 12-10-105, shall exercise their respective powers and perform their respective duties and functions as specified in this ~~article~~ ARTICLE 10 under the department of regulatory agencies as if the ~~same~~ POWERS, DUTIES, AND FUNCTIONS were transferred to the department by a **type 2** transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24. ~~C.R.S.~~".

Renumber succeeding sections accordingly.

Page 4, strike lines 6 and 7 and substitute "(1), (2)(a), and (2)(b) as follows:

12-10-105. Colorado combative sports commission - creation. (1) There is hereby created, within the office of ~~boxing~~ COMBATIVE SPORTS, the Colorado ~~state boxing~~ COMBATIVE SPORTS commission. The commission shall regulate matches in Colorado.".

Page 11, strike lines 3 and 4 and substitute:

"(V) THE OFFICE OF COMBATIVE SPORTS, INCLUDING THE COLORADO COMBATIVE SPORTS COMMISSION, CREATED IN ARTICLE 10 OF TITLE 12.".

Local Government

After consideration on the merits, the Committee recommends that **HB17-1047** 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 3, line 25, strike "(3);".

Page 3, line 26, strike "and **repeal** (4)" and substitute "(3) and (4)".

Page 3, line 27, strike "**information.** (3) ~~(a) The~~" and substitute

"**information - report.** (3) (a) ~~The~~".

Page 4, strike lines 14 through 19 and substitute:

"(4) NOTWITHSTANDING THE REQUIREMENTS OF SECTION 24-1-136 (11)(a)(I), the authority shall report annually in the month of August to the transportation legislation review committee on its activities during the preceding twelve months and on its proposed activities during the succeeding twelve months. The board and staff of the authority shall cooperate with the transportation legislation review committee in carrying out its duties pursuant to section 43-2-145 (1.5).".

Local Government

After consideration on the merits, the Committee recommends that **SB17-129** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, after line 23 insert:

"**SECTION 2.** In Colorado Revised Statutes, 38-50-101, **add** (7) as follows:

38-50-101. Survey plat - records file and index system - informational purpose. (7) IF AN ELECTRONIC FILING SYSTEM IS ESTABLISHED IN ACCORDANCE WITH SUBSECTION (6) OF THIS SECTION OR SECTION 31-23-108, THEN THE BOARD OF COUNTY COMMISSIONERS MAY PROVIDE ADDITIONAL FUNDING AND SPACE SUITABLE FOR A COUNTY SURVEYOR OR ANY OTHER APPROPRIATE LOCAL GOVERNMENT OFFICIAL TO STORE ORIGINAL MYLAR, PAPER, OR POLYESTER SHEETS OF SUBDIVISION PLATS AND LAND SURVEY PLATS.".

Renumber succeeding section accordingly.

Local Government

After consideration on the merits, the Committee recommends that **SB17-140** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Local Government

After consideration on the merits, the Committee recommends that **HB17-1017** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 15, strike "~~may~~ SHALL" and substitute "may".

Local Government

After consideration on the merits, the Committee recommends that **HB17-1018** 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: SB17-179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, and 195; SJR17-012 and 013; SR17-003.
Correctly Engrossed: SB17-123.
Correctly Reengrossed: SB17-036, 097, 100, 108, 109, 110, 112, and 122.
Correctly Revised: HJR17-1003.
Correctly Rerevised: HB17-1019, 1030, and 1060.
Correctly 2nd Rerevised: HB17-1058.

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:

SB17-123 by Senator(s) Priola and Zenzinger; also Representative(s) Hamner and Wilson--Concerning a high school diploma endorsement for biliteracy.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Sonnenberg, Todd, and Williams A.

RECONSIDERATION OF SB17-123

SB17-123 by Senator(s) Priola and Zenzinger; also Representative(s) Hamner and Wilson--Concerning a high school diploma endorsement for biliteracy.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on SB17-123.

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

SB17-123 by Senator(s) Priola and Zenzinger; also Representative(s) Hamner and Wilson--Concerning a high school diploma endorsement for biliteracy.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

CONSIDERATION OF RESOLUTIONS

SJR17-009 by Senator(s) Gardner and Kefalas; also Representative(s) Arndt and Rankin--Concerning awareness day for individuals with intellectual and developmental disabilities.

On motion of Senator Gardner, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

SJR17-012 by Senator(s) Holbert and Smallwood; also Representative(s) Ransom and Buckner--Concerning recognizing the achievements of Rocky Vista University.

Laid over until Tuesday, February 21, retaining its place on the calendar.

SR17-003 by Senator(s) Tate--Concerning the designation of February 19-25, 2017, as "Engineers' Week".

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB17-145** be postponed indefinitely.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1020** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, strike lines 17 through 20 and substitute "~~task force is~~ THE OFFICE OF BEHAVIORAL HEALTH IN THE DEPARTMENT OF HUMAN SERVICES, AND ANY STATE DEPARTMENT OR".

Page 3, strike lines 4 through 6.

Page 3, line 7, before "OFFICE" insert "THE".

Page 3, line 14, strike "moneys are" and substitute "~~moneys are~~ MONEY IS".

Page 4, line 9, strike "article" and substitute "~~article~~ ARTICLE 1.9".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1024** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1010** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

February 15, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1123, 1128, 1061.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1035, amended as printed in House Journal, February 14, 2017.
HB17-1049, amended as printed in House Journal, February 14, 2017.
HB17-1054, amended as printed in House Journal, February 14, 2017.
HB17-1105, amended as printed in House Journal, February 14, 2017.

The House has adopted and returns herewith SJR17-009, amended as printed in House Journal, February 15, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

February 15, 2017

We herewith transmit:

Without comment, HB17-1061, 1123, and 1128.
Without comment, as amended, HB17-1035, 1049, 1054, and 1105.

INTRODUCTION OF BILLS -- FIRST READING

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

HB17-1035 by Representative(s) Jackson; also Senator(s) Cooke--Concerning allowing certain crime victims to break their rental agreements under certain circumstances.
Judiciary

HB17-1038 by Representative(s) Lontine; also Senator(s) Zenzinger--Concerning prohibiting corporal punishment of children in certain public settings.
Judiciary

HB17-1041 by Representative(s) Covarrubias; also Senator(s) Priola--Concerning measures to inform students of education opportunities leading to jobs.
Education

HB17-1048 by Representative(s) Foote; also Senator(s) Smallwood--Concerning the prosecution of insurance fraud.
Judiciary

HB17-1049 by Representative(s) Thurlow and Gray; also Senator(s) Coram--Concerning the elimination of refund interest related to a property tax abatement.
Finance

HB17-1054 by Representative(s) Carver and Nordberg; also Senator(s) Todd--Concerning partnerships between local governments and military installations, and, in connection therewith, identifying shared-service opportunities to reduce costs and increase efficiencies.
Local Government

HB17-1059 by Representative(s) Thurlow, Arndt; also Senator(s) Tate, Kerr, Moreno--Concerning the scheduled repeal of reports by the department of public safety to the general assembly.
Judiciary

HB17-1061 by Representative(s) Becker J. and Melton, Buck, Carver, Esgar, Kraft-Tharp, Mitsch Bush, Neville P., Nordberg, Winter; also Senator(s) Scott and Todd, Baumgardner, Cooke, Coram, Moreno--Concerning modification of the class of vehicles that is subject to regulation as commercial vehicles.
Transportation

HB17-1092 by Representative(s) Lebsock; also Senator(s) Tate--Concerning contracts involving license royalties with proprietors of retail establishments that publicly perform music.
Business, Labor, & Technology

HB17-1094 by Representative(s) Buck and Valdez; also Senator(s) Crowder and Donovan--Concerning modifications to the requirements for health benefit plans to cover health care services delivered via telehealth.
Health & Human Services

HB17-1096 by Representative(s) Liston, Landgraf, Lawrence, Navarro, Sias; also Senator(s) Smallwood--Concerning endowment care funds administered for cemetery authorities.
Finance

HB17-1105 by Representative(s) Becker J., Buck, Carver; also Senator(s) Baumgardner--Concerning narrowing the circumstances in which physical inspection of a vehicle is required before issuing legal documentation identifying the vehicle.
Transportation

HB17-1123 by Representative(s) Lebsock and Thurlow, Neville P., Humphrey, Melton, Singer, Leonard; also Senator(s) Marble, Holbert--Concerning the ability of a local government to extend the hours during which alcohol beverages may be sold for consumption on a licensed premises.
Business, Labor, & Technology

HB17-1128 by Representative(s) Hamner, Rankin; also Senator(s) Donovan--Concerning the salary categorization of locally elected officials in Lake county.
Local Government

HB17-1131 by Representative(s) Kraft-Tharp and Saine, Winter, Nordberg; also Senator(s) Smallwood and Donovan, Neville T., Jahn--Concerning contracting by the Colorado student loan program for the administration of the college opportunity fund program.
Education

MESSAGE FROM THE GOVERNOR

Appointment

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

December 7, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2017:

Miguel “Michael” Rene Elias of Pueblo West, Colorado to serve as a member of the community at large, and as a Republican, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

TRIBUTES

Honoring:

Joseph Bovaconti -- By Senator Kerry Donovan.
Consul General Mokoto Ito -- By Senator Nancy Todd.
Leonard and Peggy Jastremski -- By Senator Leroy Garcia.
Assetou Xango -- By Senator Rhonda Fields.
Aaron Blunck -- By Senator Kerry Donovan.
Nate Solder -- By Senator Kerry Donovan.
Andrew Kent -- By Senator Rachel Zenzinger.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, February 16, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

37th Legislative Day Thursday, February 16, 2017

Prayer — By the chaplain, Reverend Diana Thompson, Tri-State Denver Buddhist Temple, Denver.

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 Moreno.

Reading of the Journal — On motion of Senator Court, reading of the Journal of Wednesday, February 15, 2017, 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 **SB17-053** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-095** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-126** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, line 22, strike "SIXTEEN" and substitute "SEVENTEEN".

Page 4, line 23, strike "NINETEEN" and substitute "TWENTY".

Page 5, after line 2 insert:
"(III) A REPRESENTATIVE OF THE PRIVATE CRIMINAL DEFENSE BAR;".

Page 5, line 3, strike "(III)" and substitute "(IV)".

Page 5, strike lines 4 and 5 and substitute:
"(V) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, OR HIS OR HER DESIGNEE;".

Renumber succeeding subparagraphs accordingly.

Page 6, strike line 6 and substitute "(2)(a)(XVII).".

Page 7, line 13, strike "SEPTEMBER 1, 2028." and substitute "SEPTEMBER 1, 2022.".

Page 14, strike line 25 and substitute "SEPTEMBER 1, 2022.".

Judiciary — After consideration on the merits, the Committee recommends that **SB17-136** be postponed indefinitely.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-111** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 2, strike line 6 through 12 and substitute "to the contrary, a medical marijuana licensee may purchase ~~not more than thirty percent~~ A PERCENTAGE of its total on-hand inventory of medical marijuana from another licensed medical marijuana center in Colorado. A medical marijuana center may sell ~~no more than thirty percent~~ A PERCENTAGE of its total on-hand inventory to another Colorado licensed medical marijuana licensee. ~~except that.~~ THE STATE LICENSING AUTHORITY SHALL SET THE PERCENTAGE IN RULE, BUT THE PERCENTAGE SHALL NOT BE SET ANY LOWER THAN THIRTY PERCENT. The director of the division that regulates medical marijuana may grant a temporary waiver:".

Page 2, line 22, strike "HAVE A COMMON OWNER" and substitute "ARE IDENTICALLY OWNED, AS DEFINED BY THE DEPARTMENT FOR PURPOSES OF THIS SECTION,".

Page 2, after line 23, insert:

"**SECTION 2. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state money is necessary to carry out the purposes of this act.".

Renumber succeeding section accordingly.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-104** be postponed indefinitely.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-080** be postponed indefinitely.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-151** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB17-128** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB17-069** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1005** 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 **SB17-099** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-150** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-116** be referred to the Committee on Finance with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-152** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 11, strike lines 5 through 7 and substitute:

"**SECTION 8. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Education — After consideration on the merits, the Committee recommends that **SB17-102** be postponed indefinitely.

Education — After consideration on the merits, the Committee recommends that **SB17-070** be postponed indefinitely.

Education — After consideration on the merits, the Committee recommends that **SB17-061** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, strike lines 15 and 16 and substitute "THIS SECTION TO THE CONTRARY, IF A LOCAL SCHOOL BOARD HAS IN PLACE OR ADOPTS A WRITTEN POLICY THAT".

Page 4, line 20, after "FOR" insert "FREE OR".

Page 5, after line 20 insert:

"(f) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2)(a) OF THIS SECTION TO THE CONTRARY, IF, BEFORE DECEMBER 31, 2016, A LOCAL SCHOOL BOARD ADOPTS A WRITTEN POLICY OR RESOLUTION THAT EXPLICITLY DIRECTS THE SCHOOL DISTRICT TO DISTRIBUTE AN IDENTIFIED AMOUNT OF THE REVENUE FROM THE SCHOOL DISTRICT'S ADDITIONAL MILL LEVY FOR USE IN CONSTRUCTING OR MAINTAINING ONE OR MORE BUILDINGS IDENTIFIED IN THE WRITTEN POLICY OR RESOLUTION, THE SCHOOL DISTRICT MAY CONTINUE DISTRIBUTING THE IDENTIFIED REVENUE AMOUNT IN ACCORDANCE WITH THE WRITTEN POLICY.

(g) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2)(a) OF THIS SECTION TO THE CONTRARY, IF A SCHOOL DISTRICT OBTAINED VOTER APPROVAL FOR A BALLOT MEASURE FOR AN ADDITIONAL MILL LEVY BEFORE THE EFFECTIVE DATE OF THIS SECTION AND THE BALLOT QUESTION SPECIFICALLY ALLOTTED A PORTION OF THE ADDITIONAL MILL LEVY REVENUES TO ONE OR MORE CAPITAL IMPROVEMENT PROJECTS, THE SCHOOL DISTRICT IS NOT REQUIRED TO DISTRIBUTE TO THE CHARTER SCHOOL ANY PORTION OF THE AMOUNT OF ADDITIONAL MILL LEVY REVENUES ALLOCATED TO THE SPECIFIED CAPITAL IMPROVEMENT PROJECTS UNTIL THE SPECIFIED CAPITAL IMPROVEMENT PROJECTS ARE COMPLETED.".

SENATE SERVICES REPORT

Correctly Engrossed: SJR17-009; SR17-003.
Correctly Reengrossed: SB17-123.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Hill was called to act as Chair.

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

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

HB17-1073 by Representative(s) Foote, Willett; also Senator(s) Scott--Concerning the enactment of Colorado Revised Statutes 2016 as the positive and statutory law of the state of Colorado.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Hill, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1073.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-006 by Senator(s) Cooke, Holbert, Sonnenberg; also Representative(s) Nordberg--Concerning allowing certain military personnel who are less than twenty-one years of age to obtain a permit to carry a concealed handgun.

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

SB17-143 by Senator(s) Williams A., Court, Fenberg, Hill, Kagan, Kerr, Tate, Todd; also Representative(s) Nordberg and Garnett--Concerning the retail sale of alcohol beverages.

Laid over until Tuesday, February 21, retaining its place on the calendar.

SB17-051 by Senator(s) Fields and Gardner; also Representative(s) Foote--Concerning the rights of crime victims.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 2, page(s) 123-124 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 Hill, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-006, SB17-051 as amended.
Laid over until Tuesday, February 21: SB17-143.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE RESOLUTIONS

SJR17-009 by Senator(s) Gardner and Kefalas; also Representative(s) Arndt and Rankin--Concerning awareness day for individuals with intellectual and developmental disabilities.

Senator Kefalas moved that the Senate concur in House amendments to **SJR17-009**, as printed in House Journal, February 15, 2017, page(s) 243-244.

A majority of all members elected to the Senate having voted in the affirmative, the motion was adopted on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SR17-003; HJR17-1003.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, February 17, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

38th Legislative Day — Friday, February 17, 2017

Prayer — By the chaplain, Rabbi Yisrael Engel, Chabad in Colorado, Denver.

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

Roll Call — Present--33
Absent--1, Kerr.
Excused--1, Priola.
Present later--2, Kerr, Priola.

Quorum — The President announced a quorum present.

Musical Presentation — By the Desert Winds Woodwind Quintet from Adams State University, performing "The Star-Spangled Banner".

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 1 (b) was suspended to allow a person other than a Senator to lead the Pledge of Allegiance.

Pledge — By Francesco Contreras.

The Senate proceeded out of order for a moment of personal privilege.

Reading of the Journal — On motion of Senator Court, reading of the Journal of Thursday, February 16, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

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

COMMITTEE OF REFERENCE REPORTS

Finance — After consideration on the merits, the Committee recommends that **SB17-153** be referred to the Committee of the Whole with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB17-148** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB17-125** be referred to the Committee of the Whole with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB17-027** be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-121** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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

"**SECTION 1.** In Colorado Revised Statutes, **add** 25.5-4-212 as follows:

25.5-4-212. Medicaid client correspondence improvement process - legislative declaration - definition. (1) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(I) ACCURATE, UNDERSTANDABLE, TIMELY, INFORMATIVE, AND CLEAR CORRESPONDENCE FROM THE STATE DEPARTMENT IS CRITICAL TO THE LIFE AND HEALTH OF MEDICAID RECIPIENTS, AND, IN SOME CASES, IS A MATTER OF LIFE AND DEATH FOR OUR MOST VULNERABLE POPULATIONS;

(II) UNCLEAR, CONFUSING, AND LATE CORRESPONDENCE FROM THE STATE DEPARTMENT CAUSES AN INCREASED WORKLOAD FOR THE STATE, COUNTIES ADMINISTERING THE MEDICAID PROGRAM, AND NONPROFIT ADVOCACY GROUPS ASSISTING CLIENTS; AND

(III) GOVERNMENT SHOULD BE A GOOD STEWARD OF TAXPAYERS' MONEY, ENSURING THAT IT IS SPENT IN THE MOST COST-EFFECTIVE MANNER.

(b) THEREFORE, THE GENERAL ASSEMBLY FINDS THAT IMPROVING MEDICAID CLIENT CORRESPONDENCE IS CRITICAL TO THE HEALTH AND SAFETY OF MEDICAID CLIENTS AND WILL REDUCE UNNECESSARY CONFUSION THAT REQUIRES CLIENTS TO CALL COUNTIES AND THE STATE DEPARTMENT OR FILE APPEALS.

(2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "CLIENT CORRESPONDENCE" MEANS ANY COMMUNICATION, THE PURPOSE OF WHICH IS TO PROVIDE NOTICE OF AN APPROVAL, DENIAL, TERMINATION, OR CHANGE TO AN INDIVIDUAL'S MEDICAID ELIGIBILITY; TO PROVIDE NOTICE OF THE APPROVAL, DENIAL, REDUCTION, SUSPENSION, OR TERMINATION OF A MEDICAID BENEFIT; OR TO REQUEST ADDITIONAL INFORMATION THAT IS RELEVANT TO AN INDIVIDUAL'S MEDICAID ELIGIBILITY OR BENEFITS.

(3) THE STATE DEPARTMENT SHALL IMPROVE MEDICAID CLIENT CORRESPONDENCE BY ENSURING THAT CLIENT CORRESPONDENCE REVISED OR CREATED AFTER JANUARY 1, 2018:

(a) IS WRITTEN USING PERSON-FIRST, PLAIN LANGUAGE;

(b) IS WRITTEN IN A FORMAT THAT INCLUDES THE DATE OF THE CORRESPONDENCE AND A CLIENT GREETING;

(c) IS CONSISTENT, USING THE SAME TERMS THROUGHOUT TO THE EXTENT PRACTICABLE INCLUDING COMMONLY USED PROGRAM NAMES;

(d) IS ACCURATELY TRANSLATED INTO THE SECOND MOST COMMONLY SPOKEN LANGUAGE IN THE STATE IF A CLIENT INDICATES THAT THIS IS THE CLIENT'S WRITTEN LANGUAGE OF PREFERENCE OR AS REQUIRED BY LAW;

(e) INCLUDES A STATEMENT TRANSLATED INTO THE TOP FIFTEEN LANGUAGES MOST COMMONLY SPOKEN BY INDIVIDUALS IN COLORADO WITH LIMITED ENGLISH PROFICIENCY INFORMING AN APPLICANT OR CLIENT HOW TO SEEK FURTHER ASSISTANCE IN UNDERSTANDING THE CONTENT OF THE CORRESPONDENCE;

(f) CLEARLY CONVEYS THE PURPOSE OF THE CLIENT CORRESPONDENCE, THE ACTION OR ACTIONS BEING TAKEN BY THE STATE DEPARTMENT OR ITS DESIGNATED ENTITY, IF ANY, AND THE SPECIFIC ACTION OR ACTIONS THAT THE CLIENT MUST OR MAY TAKE IN RESPONSE TO THE CORRESPONDENCE;

(g) INCLUDES A SPECIFIC DESCRIPTION OF ANY NECESSARY INFORMATION OR DOCUMENTS REQUESTED FROM THE APPLICANT OR CLIENT;

(h) INCLUDES CONTACT INFORMATION FOR CLIENT QUESTIONS; AND

(i) INCLUDES A SPECIFIC AND PLAIN LANGUAGE EXPLANATION OF THE BASIS FOR THE DENIAL, REDUCTION, SUSPENSION, OR TERMINATION OF THE BENEFIT IF APPLICABLE.

(4) SUBJECT TO THE AVAILABILITY OF SUFFICIENT APPROPRIATIONS AND RECEIPT OF FEDERAL FINANCIAL PARTICIPATION, THE STATE DEPARTMENT SHALL MAKE ELECTRONICALLY AVAILABLE TO A CLIENT SPECIFIC AND DETAILED INFORMATION CONCERNING THE CLIENT'S HOUSEHOLD COMPOSITION, ASSETS, INCOME SOURCES, AND INCOME AMOUNTS, IF RELEVANT TO A DETERMINATION FOR WHICH CLIENT

CORRESPONDENCE WAS ISSUED. IF IMPLEMENTED, THE STATE DEPARTMENT SHALL NOTIFY CLIENTS IN THE WRITTEN CORRESPONDENCE OF THE OPTION TO ACCESS THIS INFORMATION.

(5) THE STATE DEPARTMENT IS ENCOURAGED TO PROMOTE THE RECEIPT OF CLIENT CORRESPONDENCE ELECTRONICALLY OR THROUGH MOBILE APPLICATIONS FOR CLIENTS WHO CHOOSE THOSE METHODS OF DELIVERY AS ALLOWED BY LAW.

(6) AS PART OF ITS ONGOING PROCESS TO CREATE AND IMPROVE CLIENT CORRESPONDENCE, TO THE EXTENT PRACTICABLE AND PRIOR TO IMPLEMENTING SIGNIFICANT CHANGES TO CLIENT CORRESPONDENCE, THE STATE DEPARTMENT SHALL ENGAGE WITH EXPERTS IN WRITTEN COMMUNICATION AND PLAIN LANGUAGE TO TEST CLIENT CORRESPONDENCE AGAINST THE CRITERIA SET FORTH IN SUBSECTION (3) OF THIS SECTION WITH A GEOGRAPHICALLY DIVERSE AND REPRESENTATIVE SAMPLE OF MEDICAID CLIENTS RELEVANT TO THE CLIENT CORRESPONDENCE BEING REVISED. THE STATE DEPARTMENT SHALL ALSO DEVELOP A PROCESS TO REVIEW AND CONSIDER FEEDBACK FROM STAKEHOLDERS INCLUDING CLIENT ADVOCATES AND COUNTIES PRIOR TO IMPLEMENTING CHANGES TO CORRESPONDENCE.

(7) THE STATE DEPARTMENT SHALL ENSURE THAT CLIENT CORRESPONDENCE THAT MAY ONLY AFFECT A SMALL NUMBER OF CLIENTS, BUT MAY, NONETHELESS, HAVE A SIGNIFICANT IMPACT ON THE LIVES OF THOSE CLIENTS, IS APPROPRIATELY PRIORITIZED FOR REVISION.

(8) AS PART OF ITS ANNUAL PRESENTATION MADE TO ITS LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION 2-7-203, THE STATE DEPARTMENT SHALL PRESENT INFORMATION CONCERNING:

(a) ITS PROCESS FOR ONGOING IMPROVEMENT OF CLIENT CORRESPONDENCE;

(b) CLIENT CORRESPONDENCE REVISED PURSUANT TO CRITERIA SET FORTH IN SUBSECTION (3) OF THIS SECTION DURING THE PRIOR YEAR AND CLIENT CORRESPONDENCE IMPROVEMENTS THAT ARE PLANNED FOR THE UPCOMING YEAR; AND

(c) A DESCRIPTION OF THE RESULTS OF TESTING OF NEW OR SIGNIFICANTLY REVISED CLIENT CORRESPONDENCE PURSUANT TO SUBSECTION (6) OF THIS SECTION, INCLUDING A DESCRIPTION OF THE STAKEHOLDER FEEDBACK.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1046** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 11, line 22, strike "alcoholics and drug addicts." and substitute "~~alcoholics and~~ PERSONS INCAPACITATED BY ALCOHOLISM OR BY drug ~~addicts~~ ADDICTION.".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-146** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-142** be referred to the Committee of the Whole with favorable recommendation.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB17-105** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 2, after "2018," insert "ON A SCHEDULE DETERMINED BY THE COMMISSION,".

Page 3, strike lines 3 and 4 and substitute "ELECTRIC UTILITY SHALL FILE FOR THE COMMISSION'S REVIEW A".

Page 3, strike lines 9 through 17 and substitute:

"(I) A LINE-ITEM REPRESENTATION OF ALL MONTHLY CHARGES AND CREDITS APPLIED TO THE CUSTOMER AND AN INDICATION OF WHETHER THE CHARGES HAVE INCREASED FROM THE PRIOR MONTH AS A RESULT OF INCREASED FUEL COSTS;".

Page 3, strike lines 26 and 27 and substitute:

"(B) AFTER AGGREGATING THE DATA OF THE BILLING PERIOD, A CALCULATION OF THE DEMAND DURING THE BILLING PERIOD; AND".

Page 4, strike lines 1 and 2.

Page 4, strike line 6 and substitute:

"(b) EACH INVESTOR-OWNED UTILITY SHALL PROVIDE ITS CUSTOMERS, ON A BIANNUAL BASIS, WITH AN INSERT THAT INDICATES, AS A PERCENTAGE, EACH FUEL SOURCE USED IN POWER GENERATION AND PURCHASED FOR THAT UTILITY, INCLUDING RENEWABLE ENERGY SOURCES, NATURAL GAS, AND COAL.

(c) (I) THE COMMISSION SHALL REVIEW A FILING SUBMITTED".

Page 4, strike lines 17 and 18 and substitute "REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION WITHIN SIXTY DAYS AFTER THE DATE OF THE COMMISSION'S NOTICE OF DEFICIENCY; EXCEPT THAT THE COMMISSION MAY, UPON REQUEST, EXTEND THE DEADLINE.".

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB17-035** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, lines 2 and 3, strike "OR PLACES ANOTHER IN DANGER OF DEATH OR SERIOUS BODILY INJURY".

Page 3, strike line 9.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB17-073** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB17-135** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB17-006 and 051.
Correctly Revised: HB17-1073.
Correctly Enrolled: SB17-159, 160, 161, 162, 163, 164, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, and 176; SJM17-001; SR17-003.

MESSAGE FROM THE HOUSE

February 16, 2017

Mr. President:

The House has passed on Third Reading and returns herewith SB17-159, 160, 161, 162, 163, 164, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Representative Lawrence was added as a House joint prime sponsor on SB17-051 with Senators Fields and Gardner, and Representative Foote.

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

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

HB17-1073 by Representative(s) Foote, Willett; also Senator(s) Scott--Concerning the enactment of Colorado Revised Statutes 2016 as the positive and statutory law of the state of Colorado.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner.

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:

SB17-120 by Senator(s) Gardner; also Representative(s) Liston--Concerning the requirement of United States citizenship to be a peace officer in Colorado.

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

Third Reading Amendment No. 1(L.005), by Senator Merrifield.

Amend engrossed bill, page 2, line 9, strike "STATES." and substitute "STATES; EXCEPT THAT HONORABLY DISCHARGED VETERANS OF THE UNITED STATES MILITARY ARE EXEMPT FROM THIS SECTION.".

Page 2, line 13, strike "STATES." and substitute "STATES; EXCEPT THAT HONORABLY DISCHARGED VETERANS OF THE UNITED STATES MILITARY ARE EXEMPT FROM THIS SECTION.".

The amendment was **passed** on the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	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: Baumgardner, Cooke, Crowder, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Scott, Smallwood, and Sonnenberg.

SB17-006 by Senator(s) Cooke, Holbert, Sonnenberg; also Representative(s) Nordberg--Concerning allowing certain military personnel who are less than twenty-one years of age to obtain a permit to carry a concealed handgun.

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

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Crowder, Gardner, Grantham, Hill, Lambert, Lundberg, Marble, Neville T., Scott, and Smallwood.

SB17-051 by Senator(s) Fields and Gardner; also Representative(s) Foote and Lawrence--Concerning the rights of crime victims.

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

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

Amend engrossed bill, page 4, line 9, strike "(1)(j.5)(VI),".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Baumgardner, Cooke, Court, Fenberg, Grantham, Jones, Kefalas, Kerr, Marble, Martinez Humenik, Merrifield, Neville T., Smallwood, Sonnenberg, Todd, Williams A., and Zenzinger.

Committee of the Whole

On motion of Senator Sonnenberg, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Sonnenberg was called to act as Chair.

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

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

SB17-134 by Senator(s) Tate; also Representative(s) Herod and Nordberg--Concerning the exclusion of certain areas of an alcohol beverage licensee's operation in the application of penalties for certain violations.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 15, page 218 and placed in members' bill files.)

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

HB17-1047 by Representative(s) Thurlow, Arndt; also Senator(s) Tate, Kerr, Moreno--Concerning the scheduled repeal of reports by the department of local affairs to the general assembly.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, February 15, page(s) 219-220 and placed in members' bill files.)

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

SB17-129 by Senator(s) Sonnenberg; also Representative(s) Arndt and Becker J.--Concerning the electronic preservation of a plat recorded by a county clerk and recorder.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, February 15, page 220 and placed in members' bill files.)

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

SB17-140 by Senator(s) Sonnenberg; also Representative(s) Arndt and Becker J.--Concerning the Torrens title registration system.

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

HB17-1018 by Representative(s) Mitsch Bush and Liston; also Senator(s) Gardner--Concerning extension of the authorization for a regional transportation authority to seek voter approval for a uniform mill levy on all taxable property within its territory.

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

HB17-1024 by Representative(s) Thurlow, Arndt; also Senator(s) Moreno, Holbert, Kerr, Tate--Concerning the nonsubstantive relocation of laws pertaining to the commission on family medicine.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-134 as amended, SB17-129 as amended, SB17-140, HB17-1047 as amended, HB17-1018, HB17-1024.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-106 by Senator(s) Aguilar and Coram, Kefalas; also Representative(s) Singer--Concerning the continuation of the regulation of naturopathic doctors by the director of the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the department's sunset review recommendations.

Laid over until Tuesday, February 21, retaining its place on the calendar.

SB17-130 by Senator(s) Priola; --Concerning alignment of the number of hours of practical experience required to register as a sprinkler fitter with the number of hours of practical experience required to become licensed as a journeyman plumber.

Laid over until Tuesday, February 21, retaining its place on the calendar.

SB17-154 by Senator(s) Gardner; also Representative(s) Wist--Concerning the "Uniform Unsworn Declarations Act".

Amendment No. 1(L.002), by Senator Gardner.

Amend printed bill, page 2, after line 15 insert:

"**SECTION 3.** In Colorado Revised Statutes, 12-55-304, **amend** (a) as follows:

12-55-304. Validity of unsworn declaration. (a) THIS PART 3 APPLIES ONLY TO THE USE OF AN UNSWORN DECLARATION IN A STATE COURT. Except as otherwise provided in subsection (b) of this section, if a law of this state requires or permits use of a sworn declaration, an unsworn declaration meeting the requirements of this part 3 has the same effect as a sworn declaration.".

Renumber succeeding sections accordingly.

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

HB17-1017 by Representative(s) Kennedy; also Senator(s) Baumgardner and Jahn--Concerning county surveyors.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, February 15, page 220 and placed in members' bill files.)

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

HB17-1020 by Representative(s) Singer, Lee; also Senator(s) Martinez Humenik--Concerning ongoing staffing for the task force concerning treatment of persons with mental illness in the criminal and juvenile justice systems.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 15, page 223 and placed in members' bill files.)

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

HB17-1010 by Representative(s) Ginal; also Senator(s) Crowder--Concerning the authority of the Colorado dental board to promulgate rules based on clarifications to existing laws that relate to collaborative dental agreements.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-154 as amended, HB17-1017 as amended, HB17-1020 as amended, HB17-1010.
Laid over until Tuesday, February 21: SB17-106, SB17-130.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Education — After consideration on the merits, the Committee recommends that **SB17-137** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education — After consideration on the merits, the Committee recommends that **SB17-144** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education — After consideration on the merits, the Committee recommends that **SB17-068** be referred to the Committee of the Whole with favorable recommendation.

Education — After consideration on the merits, the Committee recommends that **SB17-101** be postponed indefinitely.

Education — After consideration on the merits, the Committee recommends that **SB17-067** be postponed indefinitely.

Education — After consideration on the merits, the Committee recommends that **SB17-103** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, strike line 4 and substitute "(3)(b) as follows:".

Page 3, strike lines 22 through 27.

Page 4, strike lines 1 through 23.

Page 5, line 12, strike "THE" and substitute "IF A SCHOOL DISTRICT INCLUDES A DISTRICT PUBLIC SCHOOL THAT IS OPERATING UNDER A PRIORITY IMPROVEMENT OR TURNAROUND PLAN AND ENROLLS STUDENTS IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE, THE".

Page 5, line 13, strike "A SCHOOL DISTRICT MUST, AT A MINIMUM, INCLUDE" and substitute "THE SCHOOL DISTRICT SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO,".

Page 5, strike lines 16 through 19 and substitute:
"(4) AN EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT MUST DETERMINE THE".

Page 6, line 11, strike "OPPORTUNITIES" and substitute "OPPORTUNITIES, INCLUDING OPPORTUNITIES FOR EDUCATOR COLLABORATION,".

Page 7, line 10, strike "THE" and substitute "IF A SCHOOL DISTRICT INCLUDES A DISTRICT PUBLIC SCHOOL THAT IS OPERATING UNDER A PRIORITY IMPROVEMENT OR TURNAROUND PLAN AND ENROLLS STUDENTS IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE, THE".

Page 7, line 11, strike "A SCHOOL DISTRICT MUST, AT A MINIMUM, INCLUDE" and substitute "THE SCHOOL DISTRICT SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO,".

Page 8, line 1, strike "MUST, AT A MINIMUM, INCLUDE" and substitute "SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO,".

Page 8, strike lines 3 through 7 and substitute:
"(4.5) AN EARLY CHILDHOOD LEARNING NEEDS ASSESSMENT MUST DETERMINE THE EXTENT TO WHICH:".

Page 9, line 5, strike "OPPORTUNITIES" and substitute "OPPORTUNITIES, INCLUDING OPPORTUNITIES FOR EDUCATOR COLLABORATION,".

Page 10, line 3, strike "MUST, AT A MINIMUM, INCLUDE" and substitute "SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO,".

Page 11, line 3, after the period add "A PUBLIC SCHOOL MAY IMPLEMENT STRATEGIES FOCUSED ON EARLY LEARNING AND DEVELOPMENT AS DESCRIBED IN THIS SUBSECTION (3)(d)(VI.5) ONLY IN COMBINATION WITH AT LEAST ONE OTHER RESEARCH-BASED STRATEGY SPECIFIED IN THIS SUBSECTION (3)(d).".

INTRODUCTION OF BILLS -- FIRST READING

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

SB17-196 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning the improvement of the department of law's information technology security.
Appropriations

SB17-197 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning the provision of legal services for the department of education in the 2016-17 state fiscal year.
Appropriations

Upon request of Majority Leader Holbert, **HB17-1018** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Tuesday, February 21, 2017 and was placed at the end of the Third Reading of Bills Final Passage Calendar of Tuesday, February 21, 2017.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

February 17, 2017

Mr. President:

The House failed to pass SB17-165 on Third Reading. The bill is returned herewith.

INTRODUCTION OF BILLS -- FIRST READING (cont'd)

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

SB17-157 by Senator(s) Williams A.; also Representative(s) Melton--Concerning prerequisites for the authority of a unit owners' association to pursue litigation involving alleged construction defects, and, in connection therewith, imposing notification, disclosure, and voting requirements prior to commencement of an action.
Business, Labor, & Technology

SB17-198 by Senator(s) Priola; also Representative(s) Garnett--Concerning public participation in the review by the commissioner of insurance of the acquisition of control of an insurer that offers health plans.
Business, Labor, & Technology

MESSAGE FROM THE GOVERNOR

Appointment

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

July 1, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE BOARD OF PAROLE

for terms expiring July 1, 2020:

Joe Martin Morales of Parker, Colorado, to serve as a representative of law enforcement, and as Chair, reappointed;

Rebecca Lynn Oakes of Denver, Colorado, to serve as a citizen member, reappointed;

Alexandra Jennifer Walker of Sedalia, Colorado, to serve as a citizen member, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Judiciary

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Tuesday, February 21, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

41st Legislative Day Monday, February 20, 2017

THE SENATE DID NOT CONVENE ON THIS DAY

DUE TO OBSERVANCE OF PRESIDENTS' DAY

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

42nd Legislative Day Tuesday, February 21, 2017

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

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--33
Excused--2, Marble, Scott.
Present Later--1, Marble.

Quorum — The President announced a quorum present.

Pledge — By Senator Priola.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Friday, February 17, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR ADAMS STATE UNIVERSITY

for a term expiring December 31, 2019:

Michelle J. Lueck of Englewood, Colorado, a Democrat, and occasioned by the resignation of Valentin "Val" Vigil of Thornton, Colorado, appointed;

for terms expiring December 31, 2020:

Wendell Lorenzo Pryor of Denver, Colorado, a Democrat, reappointed;

Reeves Alderson Brown of Denver, Colorado, a Republican, appointed;

Honorable Pamela Sue Bricker of Del Norte, Colorado, an Unaffiliated, appointed.

Appropriations — After consideration on the merits, the Committee recommends that **SB17-196** 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 **SB17-197** 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: SB17-157, 196, 197, and 198.
Correctly Engrossed: SB17-129, 134, 140, and 154.
Correctly Reengrossed: SB17-006, 051, and 120.
Correctly Revised: HB17-1010, 1017, 1018, 1020, 1024, and 1047.
Correctly Rerevised: HB17-1073.

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

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

SB17-134 by Senator(s) Tate; also Representative(s) Herod and Nordberg--Concerning the exclusion of certain areas of an alcohol beverage licensee's operation in the application of penalties for certain violations.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Crowder, Grantham, Hill, Kerr, Merrifield, Moreno, and Neville T.

HB17-1047 by Representative(s) Thurlow, Arndt; also Senator(s) Tate, Kerr, Moreno--Concerning the scheduled repeal of reports by the department of local affairs to the general assembly.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, and Martinez Humenik.

SB17-129 by Senator(s) Sonnenberg; also Representative(s) Arndt and Becker J.--Concerning the electronic preservation of a plat recorded by a county clerk and recorder.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Gardner, Martinez Humenik, Priola, and Tate.

SB17-140 by Senator(s) Sonnenberg; also Representative(s) Arndt and Becker J.--Concerning the Torrens title registration system.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Martinez Humenik, and Priola.

HB17-1024 by Representative(s) Thurlow, Arndt; also Senator(s) Moreno, Holbert, Kerr, Tate--Concerning the nonsubstantive relocation of laws pertaining to the commission on family medicine.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

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:

SB17-154 by Senator(s) Gardner; also Representative(s) Wist--Concerning the "Uniform Unsworn Declarations Act".

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

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Crowder, Holbert, Kagan, and Priola.

HB17-1017 by Representative(s) Kennedy; also Senator(s) Baumgardner and Jahn--Concerning county surveyors.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Gardner, Jones, Kagan, Kerr, and Marble.

HB17-1020 by Representative(s) Singer, Lee; also Senator(s) Martinez Humenik--Concerning ongoing staffing for the task force concerning treatment of persons with mental illness in the criminal and juvenile justice systems.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Cooke, Court, Crowder, Fenberg, Fields, Garcia, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Merrifield, Tate, Todd, Williams A., and Zenzinger.

HB17-1010 by Representative(s) Ginal; also Senator(s) Crowder--Concerning the authority of the Colorado dental board to promulgate rules based on clarifications to existing laws that relate to collaborative dental agreements.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Grantham, Jones, Kefalas, Merrifield, Smallwood, Tate, and Todd.

HB17-1018 by Representative(s) Mitsch Bush and Liston; also Senator(s) Gardner--Concerning extension of the authorization for a regional transportation authority to seek voter approval for a uniform mill levy on all taxable property within its territory.

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

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	N		

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

Co-sponsor(s) added: Coram, Crowder, Donovan, Fields, Guzman, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Todd, Williams A., and Zenzinger.

Committee of the Whole

On motion of Senator Martinez Humenik, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Martinez Humenik was called to act as Chair.

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

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

HB17-1005 by Representative(s) Arndt, Thurlow; also Senator(s) Tate, Kerr, Moreno--Concerning modernization of various laws relating to the office of the state auditor.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1005.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (SB17-004, SB17-143, SB17-106, SB17-130, SB17-053, SB17-061) of Tuesday, February 21, was laid over until Wednesday, February 22, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Laid over until Wednesday, February 22: SB17-004, SB17-143, SB17-106, SB17-130, SB17-053, SB17-061.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB17-073, SB17-137, and SB17-144, were made Special Orders -- Consent Calendar at 10:24 a.m.

Committee of the Whole

The hour of 10:24 a.m. having arrived, Senator Martinez Humenik 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 Martinez Humenik 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:

SB17-073 by Senator(s) Garcia; also Representative(s) Valdez--Concerning promotion of the Runyon-Fountain lakes state wildlife area.

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

SB17-137 by Senator(s) Todd and Merrifield; also Representative(s) Jackson--Concerning the continuation of the Colorado health service corps advisory council.

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

SB17-144 by Senator(s) Hill and Zenzinger, Gardner, Merrifield, Neville T., Priola, Todd; also Representative(s) Pettersen--Concerning the recommended continuation of the education data advisory committee by the director of the division of professions and occupations in the department of regulatory agencies.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-073, SB17-137, SB17-144.

CONSIDERATION OF RESOLUTIONS

SJR17-012 by Senator(s) Holbert and Smallwood; also Representative(s) Ransom and Buckner--Concerning recognizing the achievements of Rocky Vista University.

Laid over until Wednesday, April 12, retaining its place on the calendar.

Upon request of Majority Leader Holbert, **SB17-073** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Wednesday, February 22, 2017 and was placed at the end of the Third Reading of Bills Final Passage Calendar of Wednesday, February 22, 2017.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR17-009.

Journal correction:

Page 238, line 29, strike "passed/lost." and substitute "passed.".

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, February 22, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

43rd Legislative Day Wednesday, February 22, 2017

Prayer — By the chaplain, Dr. Jeff Redlin, Front Range Baptist Church, Fort Collins.

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

Roll Call — Present--35

Quorum — The President announced a quorum present.

Musical Presentation — By the Colorado Christian University Women's Choir, performing "Lift Thine Eyes" and "There is a Balm in Gilead".

Senator Lundberg was granted a moment of personal privilege out of order.

Pledge — By Senator Priola.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Tuesday, February 21, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Local Government — After consideration on the merits, the Committee recommends that **HB17-1067** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Local Government — After consideration on the merits, the Committee recommends that **HB17-1016** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Local Government — After consideration on the merits, the Committee recommends that **HB17-1128** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Trans-portation — The Committee on Transportation has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
COLORADO AERONAUTICAL BOARD

for a term expiring December 19, 2019:

Raymond Allen Beck of Craig, Colorado, to serve as a representative of local government in the western slope which operates airports, reappointed.

Trans-portation — After consideration on the merits, the Committee recommends that **HB17-1068** be postponed indefinitely.

Finance After consideration on the merits, the Committee recommends that **HB17-1055** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB17-139** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB17-158** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB17-116** be referred to the Committee on Appropriations with favorable recommendation.

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

SENATE SERVICES REPORT

Correctly Engrossed: SB17-073, 137, and 144.
Correctly Reengrossed: SB17-129, 134, 140, and 154.
Correctly Revised: HB17-1005.
Correctly Rerevised: HB17-1010, 1017, 1018, 1020, 1024, and 1047.
Correctly Enrolled: SJR17-009.

MESSAGE FROM THE HOUSE

February 21, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1148, 1126, 1135.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1101, amended as printed in House Journal, February 16, 2017.
HB17-1071, amended as printed in House Journal, February 16, 2017.
HB17-1039, amended as printed in House Journal, February 16, 2017.
HB17-1143, amended as printed in House Journal, February 16, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB17-1015, amended as printed in House Journal, February 16 2017, and amended on Third Reading as printed in House Journal, February 21, 2017.

The House has passed on Third Reading and returns herewith SB17-013, 058.

MESSAGE FROM THE REVISOR OF STATUTES

February 21, 2017

We herewith transmit:

Without comment, HB17-1126, 1135, and 1148.
Without comment, as amended, HB17-1015, 1039, 1071, 1101, and 1143.

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

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

HB17-1005 by Representative(s) Arndt, Thurlow; also Senator(s) Tate, Kerr, Moreno--Concerning modernization of various laws relating to the office of the state auditor.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

SB17-137 by Senator(s) Todd and Merrifield; also Representative(s) Jackson--Concerning the continuation of the Colorado health service corps advisory council.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Kefalas, Kerr, Moreno, and Zenzinger.

SB17-144 by Senator(s) Hill and Zenzinger, Gardner, Merrifield, Neville T., Priola, Todd; also Representative(s) Pettersen--Concerning the recommended continuation of the education data advisory committee by the director of the division of professions and occupations in the department of regulatory agencies.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Kerr and Martinez Humenik.

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:

SB17-073 by Senator(s) Garcia; also Representative(s) Valdez--Concerning promotion of the Runyon-Fountain lakes state wildlife area.

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

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Guzman, Kerr, and Merrifield.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-004 by Senator(s) Tate; also Representative(s) Wist--Concerning access by medicaid recipients to nonenrolled medical providers.

Laid over until Monday, February 27, retaining its place on the calendar.

SB17-143 by Senator(s) Williams A., Court, Fenberg, Hill, Kagan, Kerr, Tate, Todd; also Representative(s) Nordberg and Garnett--Concerning the retail sale of alcohol beverages.

Laid over until Thursday, February 23, retaining its place on the calendar.

SB17-106 by Senator(s) Aguilar and Coram, Kefalas; also Representative(s) Singer--Concerning the continuation of the regulation of naturopathic doctors by the director of the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the department's sunset review recommendations.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 10, page 172 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Aguilar.

Amend the Health and Human Services Committee Report, dated February 9, 2017, page 1, line 1, after "line 3," insert "strike "(23)(a) introductory" and substitute "(19)(a) introductory" and".

Amendment No. 3(L.009), by Senators Marble and Neville T.

Amend printed bill, page 3, before line 21 insert:

"**SECTION 4.** In Colorado Revised Statutes, 12-37.3-110, **amend** (2) as follows:

12-37.3-110. Persons entitled to practice as naturopathic doctors - title protection for naturopathic doctors. (2) A naturopathic doctor may use the title ~~"naturopathic~~ "REGISTERED NATUROPATHIC doctor", or ~~"doctor~~ "REGISTERED DOCTOR of naturopathy", or the initials ~~"N.D."~~ "R.N.D."".

Renumber succeeding sections accordingly.

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

SB17-130 by Senator(s) Priola; --Concerning alignment of the number of hours of practical experience required to register as a sprinkler fitter with the number of hours of practical experience required to become licensed as a journeyman plumber.

Laid over until Thursday, February 23, retaining its place on the calendar.

SB17-053 by Senator(s) Sonnenberg; --Concerning requirements for asbestos litigation claims.

Lost on second reading.

SB17-061 by Senator(s) Hill and Williams A.; also Representative(s) Sias--Concerning distribution of additional operational funding to charter schools.

A majority of all members elected to the Senate having voted in the affirmative, the bill was referred to the Committee on Appropriations.

SB17-153 by Senator(s) Garcia and Crowder, Kefalas; also Representative(s) Esgar, Bridges, Rosenthal--Concerning establishment of the southwest chief and front range passenger rail commission to oversee the preservation and expansion of Amtrak southwest chief rail service in Colorado and facilitate the development and operation of a front range passenger rail system that provides passenger rail service in and along the interstate 25 corridor.

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

SB17-125 by Senator(s) Guzman; also Representative(s) Pabon--Concerning allowing certain persons who have been exonerated of crimes to receive in lump-sum payments compensation that is owed to them by the state.

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

HB17-1046 by Representative(s) Lebsock; also Senator(s) Donovan--Concerning updating statutory references to certain limited outdated terms relating to people with disabilities.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 17, page 235 and placed in members' bill files.)

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

SB17-146 by Senator(s) Jahn; also Representative(s) Ginal--Concerning access to the electronic prescription drug monitoring program.

Laid over until Monday, February 27, retaining its place on the calendar.

SB17-142 by Senator(s) Williams A., Donovan, Fields, Garcia, Kerr, Martinez Humenik, Moreno, Todd; also Representative(s) Danielson, Benavidez, Buckner, Coleman, Exum, Herod, Jackson, McLachlan, Melton, Michaelson Jenet, Pettersen, Salazar, Singer, Winter-- Concerning the requirement to include notification to a patient regarding the patient's breast tissue classification with the required mammography report.

Laid over until Monday, February 27, retaining its place on the calendar.

SB17-105 by Senator(s) Garcia, Cooke, Fenberg, Jones; --Concerning consumers' right to know their electric utility charges by requiring investor-owned electric utilities to provide their customers with a comprehensive breakdown of cost on their monthly bills.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. (Printed in Senate Journal, February 17, page 236 and placed in members' bill files.)

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

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (SB17-035, SB17-135, SB17-068) of Wednesday, February 22, was laid over until Thursday, February 23, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Tate, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-106 as amended, SB17-153, SB17-125, SB17-105 as amended, HB17-1046 as amended.
Lost on second reading: SB17-053.
Laid over until Thursday, February 23: SB17-143, SB17-130, SB17-035, SB17-135, SB17-068.
Laid over until Monday, February 27: SB17-004, SB17-146, SB17-142.
Referred to the Committee on Appropriations: SB17-061.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB17-196 and SB17-197 were made Special Orders -- Consent Calendar at 10:39 a.m.

Committee of the Whole

The hour of 10:39 a.m. having arrived, Senator Tate 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 Tate 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:

SB17-196 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning the improvement of the department of law's information technology security.

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

SB17-197 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning the provision of legal services for the department of education in the 2016-17 state fiscal year.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Tate, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-196, SB17-197.

MESSAGE FROM THE HOUSE

February 22, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1140, 1136, 1133, 1154, 1157

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1102, amended as printed in House Journal, February 16, 2017.
HB17-1142, amended as printed in House Journal, February 17, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1093, amended on Third Reading as printed in House Journal, February 22, 2017.

The House has passed on Third Reading and returns herewith SB17-052, 020.

MESSAGE FROM THE REVISOR OF STATUTES

February 22, 2017

We herewith transmit:

Without comment, HB17-1133, 1136, 1140, 1154, and 1157.
Without comment, as amended, HB17-1093, 1102, and 1142.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB17-1060, 1073.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-190** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 13 insert:

"(3) IF THE COMMISSIONER DETERMINES THAT A CARRIER HAS NOT COMPLIED WITH THIS SECTION, THE COMMISSIONER SHALL INSTITUTE A CORRECTIVE ACTION PLAN THAT THE CARRIER SHALL FOLLOW OR MAY USE ANY OF THE COMMISSIONER'S ENFORCEMENT POWERS TO OBTAIN THE CARRIER'S COMPLIANCE WITH THIS SECTION.".

Renumber succeeding subsection accordingly.

Page 3, strike lines 22 through 27.

Page 4, strike lines 1 through 3.

Renumber succeeding section accordingly.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1052** be referred to the Committee of the Whole with favorable recommendation.

INTRODUCTION OF BILLS -- FIRST READING

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

HB17-1015 by Representative(s) Hooton; also Senator(s) Cooke--Concerning clarifying the manner in which reductions of inmates' sentences are administered in county jails.
Judiciary

HB17-1039 by Representative(s) Lee; also Senator(s) Kagan--Concerning communication issues related to restorative justice.
Judiciary

HB17-1071 by Representative(s) Wist and Lee; also Senator(s) Gardner and Kagan--Concerning a process for repayment of certain criminal monetary amounts ordered by the court to be paid following conviction.
Judiciary

HB17-1093 by Representative(s) Ransom; also Senator(s) Kagan--Concerning an increase in the exemption for the cash surrender value of life insurance.
Finance

HB17-1101 by Representative(s) Rosenthal; also Senator(s) Priola and Todd--Concerning the creation of the youth corrections monetary incentives award program in the division of youth corrections.
Judiciary

HB17-1133 by Representative(s) Nordberg and Hooton, Arndt, Thurlow; also Senator(s) Tate and Moreno, Kerr, Martinez Humenik--Concerning the annual report on filing-office rules by the secretary of state.
State, Veterans, & Military Affairs

HB17-1135 by Representative(s) Bridges; also Senator(s) Priola--Concerning the portability of employment background checks for a child care worker who works for the same common ownership entity.
Health & Human Services

HB17-1136 by Representative(s) Foote; also Senator(s) Gardner--Concerning consistent statutory language for electronic filing of taxes.
Finance

HB17-1140 by Representative(s) Danielson, Buckner, Covarrubias, Lawrence, Lundeen, Navarro, Nordberg, Pettersen, Sias; also Senator(s) Neville T., Gardner, Jahn, Priola, Todd, Zenzinger--Concerning permitted uses of fee-for-service contract money by the Colorado school of mines.
Education

HB17-1142 by Representative(s) Jackson; also Senator(s) Gardner--Concerning notices of certain court proceedings.
Judiciary

HB17-1143 by Representative(s) Landgraf; also Senator(s) Crowder--Concerning audits of correspondence sent to medicaid clients.
Health & Human Services

HB17-1148 by Representative(s) Arndt, Buck, Becker J., Hansen, Hooton, Valdez, Willett; also Senator(s) Cooke--Concerning applications for registration to cultivate industrial hemp.
Agriculture, Natural Resources, & Energy

HB17-1154 by Representative(s) Rosenthal; also Senator(s) Todd--Concerning the creation of an international sister-state relationship program by the Colorado office of economic development.
State, Veterans, & Military Affairs

HB17-1157 by Representative(s) Kraft-Tharp and Nordberg; also Senator(s) Priola--Concerning reliance by a financial institution on a certificate of trust.
Finance

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

January 20, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO STUDENT LEADERS INSTITUTE
EXECUTIVE BOARD

for a term expiring July 7, 2017:

Rebecca Holmes of Denver, Colorado, to serve as a person from the community who has interest or experience in education, and occasioned by the resignation of Rosann B. Ward of Aurora, Colorado, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 2/2/2017
Effie Ameen, Secretary of the Senate

Committee on Education

July 15, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2020:

Stella Peterson of Arvada, Colorado, to serve as a member of the public and as a Democrat, reappointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Finance

June 10, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE PERSONNEL BOARD

for a term expiring June 30, 2019:

Neil Peck of Denver, Colorado, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

February 8, 2017

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

Ladies and Gentlemen:

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

EXECUTIVE DIRECTOR OF THE
COLORADO DEPARTMENT OF HIGHER EDUCATION
AND THE EXECUTIVE DIRECTOR OF
THE COLORADO COMMISSION ON HIGHER EDUCATION

effective February 15, 2017 for a term expiring at the pleasure of the Governor:

Kim Hunter Reed, PhD of Denver, Colorado, appointed.

This Executive Order supersedes Executive Order A 2017 026.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/8/2017
Effie Ameen, Secretary of the Senate

Committee on Education

August 22, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE BOARD OF PAROLE

effective September 1, 2016 for a term expiring July 1, 2017:

Brandon W. Mathews of Colorado Springs, Colorado, and occasioned by the resignation of Barbara Jean Kelley of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Judiciary

December 6, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

effective December 31, 2016 for terms expiring December 31, 2020:

Ernest Domingo House, Jr. of Aurora, Colorado, to serve as an Unaffiliated, reappointed;

Richard C. Kaufman of Centennial, Colorado, to serve as a Democrat, appointed;

Dianne Arlene Pacheco-Van Voorhees of Arvada, Colorado, to serve as a Democrat, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/4/2017
Effie Ameen, Secretary of the Senate

Committee on Education

August 25, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO RACING COMMISSION

for a term expiring July 1, 2020:

Justine Scott Estes of Gypsum, Colorado, a Republican from the Third Congressional District, who is a registered elector of the state, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Finance

December 9, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
JUVENILE PAROLE BOARD

for a term expiring November 15, 2018:

Barbara Hickman of Denver, Colorado, to serve as a representative of the Colorado Department of Education, and occasioned by the resignation of Candace Marie Hawkins of Thornton, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/4/2017
Effie Ameen, Secretary of the Senate

Committee on Judiciary

June 20, 2016

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

Ladies and Gentlemen:

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

MEMBER OF
THE STATE PLUMBING BOARD

for a term expiring July 1, 2020:

Anthony John Shaffer of Florence, Colorado, a plumbing contractor engaged in the construction of residential or commercial buildings, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

December 23, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO COMMISSION ON JUDICIAL DISCIPLINE

for a term expiring June 30, 2019:

Drucilla Pugh of Pueblo, Colorado, to serve as a non-attorney, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 1/4/2017
Effie Ameen, Secretary of the Senate

Committee on Judiciary

August 2, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO RACING COMMISSION

for a term expiring July 1, 2020:

David Lynn Hoffman of Westminster, Colorado, a Democrat from the Seventh Congressional District, who has been previously engaged in the racing industry for at least five years, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Finance

June 15, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO BOARD OF VETERANS AFFAIRS

for a term expiring June 30, 2020:

Robert Francis McLaughlin of Colorado Springs, Colorado, an Unaffiliated, and a veteran who has been honorably released or separated from the armed forces of the United States, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

October 13, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO BOARD OF VETERANS AFFAIRS

for a term expiring June 30, 2019:

Patricia Jane Hammon, RN, of Eagle, Colorado, a Democrat and a veteran who has been honorably released or separated from the armed forces of the United States, and occasioned by the resignation of Christopher Michael Holden of Colorado Springs, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

January 13, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
BOARD OF TRUSTEES FOR THE
UNIVERSITY OF NORTHERN COLORADO

for a term expiring December 31, 2018:

Janice Carrie Sinden of Evergreen, Colorado, to serve as a Republican, and occasioned by the resignation of Kelly Marie Johnson, PhD, RN, MSN, NEA-BC, CRRN of Parker, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/18/2017
Effie Ameen, Secretary of the Senate

Committee on Education

January 18, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
BOARD OF TRUSTEES FOR
WESTERN STATE COLORADO UNIVERSITY

for a term expiring December 31, 2020:

Nancy Ellen Chisholm of Lakewood, Colorado, a Republican, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/2/2017
Effie Ameen, Secretary of the Senate

Committee on Education

December 21, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
BOARD OF TRUSTEES FOR
WESTERN STATE COLORADO UNIVERSITY

for a term expiring December 31, 2020:

Keith Daniel Kennedy of Monument, Colorado, a Republican, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 1/4/2017
Effie Ameen, Secretary of the Senate

Committee on Education

December 21, 2016

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

Ladies and Gentlemen:

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

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

for a term expiring December 31, 2020:

William Dean Singleton of Denver, Colorado, to serve as an Unaffiliated, reappointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 1/4/2017
Effie Ameen, Secretary of the Senate

Committee on Education

June 10, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO HOUSING AND FINANCE AUTHORITY
BOARD OF DIRECTORS

for a term expiring July 1, 2019:

Max Tyler of Lakewood, Colorado, to serve as a member representing the public, and occasioned by the resignation of Charles Kenneth Knight of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Finance

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-018, 044, 173, 174, and 176.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, February 22, 2017, at 1:30 p.m.: SB17-018, 044, 173, 174, and 176.

TRIBUTES

Honoring:

Lymphatic Education & Research Network (LE&RN) -- By Senator Irene Aguilar.
Temple Grandin -- By Senator John Kefalas.
Betsey Martens -- By Senator Steve Fenberg.
Boulder Organic Foods -- By Senator Steve Fenberg.
Techtonic Group -- By Senator Steve Fenberg.
John Kottke -- By Senator Steve Fenberg.
Mayor Shmulik Rifman -- By President Kevin J. Grantham.

Journal correction:

Page 250, strike lines 67-69 and substitute "Cosponsor(s) added: Grantham, Jones, Kefalas, Merrifield, Smallwood, Tate, and Todd.".

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, February 23, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

44th Legislative Day Thursday, February 23, 2017

Prayer	By the chaplain, Pastor Adam Long, Greenwood Community Church, Greenwood Village.
Call to Order	By the President at 9:00 a.m.
Roll Call	Present--34 Excused--1, Kagan. Present later--1, Kagan.
Quorum	The President announced a quorum present.
Pledge	By Senator Priola.
Reading of the Journal	On motion of Senator Fields, reading of the Journal of Wednesday, February 22, 2017, 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 **SB17-087** be postponed indefinitely.
Judiciary	After consideration on the merits, the Committee recommends that **SB17-141** be postponed indefinitely.
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that **SB17-081** be postponed indefinitely.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that **HB17-1074** 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 **HB17-1014** be referred to the Committee of the Whole with favorable recommendation.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that **HB17-1025** 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 Engrossed: SB17-105, 106, 125, 153, 196, and 197.
Correctly Reengrossed: SB17-073, 137, and 144.
Correctly Revised: HB17-1046.
Correctly Rerevised: HB17-1005.
Correctly Enrolled: SB17-013, 020, 052, and 058.

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

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

SB17-196 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning the improvement of the department of law's information technology security.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Grantham, Holbert, Martinez Humenik, and Tate.

SB17-197 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning the provision of legal services for the department of education in the 2016-17 state fiscal year.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Grantham and Holbert.

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:

SB17-106 by Senator(s) Aguilar and Coram, Kefalas; also Representative(s) Singer--Concerning the continuation of the regulation of naturopathic doctors by the director of the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the department's sunset review recommendations.

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Jahn, and Jones.

SB17-153 by Senator(s) Garcia and Crowder, Kefalas; also Representative(s) Esgar, Bridges, Rosenthal--Concerning establishment of the southwest chief and front range passenger rail commission to oversee the preservation and expansion of Amtrak southwest chief rail service in Colorado and facilitate the development and operation of a front range passenger rail system that provides passenger rail service in and along the interstate 25 corridor.

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Donovan, Fenberg, Fields, Grantham, Guzman, Hill, Jones, Kagan, Kerr, Merrifield, Moreno, Priola, Todd, and Williams A.

SB17-125 by Senator(s) Guzman; also Representative(s) Pabon--Concerning allowing certain persons who have been exonerated of crimes to receive in lump-sum payments compensation that is owed to them by the state.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Fenberg, Fields, Garcia, Hill, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Tate, Todd, and Williams A.

HB17-1046 by Representative(s) Lebsock; also Senator(s) Donovan--Concerning updating statutory references to certain limited outdated terms relating to people with disabilities.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Court, Crowder, Fields, Garcia, Gardner, Guzman, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Smallwood, Tate, Todd, Williams A., and Zenzinger.

SB17-105 by Senator(s) Garcia, Cooke, Fenberg, Jones; also Representative(s) Becker K.--Concerning consumers' right to know their electric utility charges by requiring investor-owned electric utilities to provide their customers with a comprehensive breakdown of cost on their monthly bills.

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Court, Fields, Grantham, Guzman, Kagan, Kefalas, Kerr, Merrifield, Moreno, Todd, and Zenzinger.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-143 by Senator(s) Williams A., Court, Fenberg, Hill, Kagan, Kerr, Tate, Todd; also Representative(s) Nordberg and Garnett--Concerning the retail sale of alcohol beverages.

Laid over until Monday, February 27, retaining its place on the calendar.

SB17-130 by Senator(s) Priola; --Concerning alignment of the number of hours of practical experience required to register as a sprinkler fitter with the number of hours of practical experience required to become licensed as a journeyman plumber.

Laid over until Monday, February 27, retaining its place on the calendar.

SB17-035 by Senator(s) Sonnenberg; --Concerning tampering with equipment associated with oil and gas gathering operations.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. (Printed in Senate Journal, February 17, page 236 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Sonnenberg.

Amend printed bill, page 3, strike lines 14 through 20.

Renumber succeeding section accordingly.

As amended, laid over until Monday, February 27, retaining its place on the calendar.

SB17-135 by Senator(s) Marble; also Representative(s) Lewis--Concerning the removal of the requirement that licensed chiropractors who are registered to perform animal chiropractic obtain a veterinary medical clearance by a licensed veterinarian before performing an act that falls within an animal chiropractor's scope of practice on an animal patient.

Amendment No. 1(L.001), by Senator Donovan.

Amend printed bill, page 3, line 4, strike "ENCOURAGED" and substitute "ENCOURAGED, IN A TIMELY MANNER,".

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

SB17-068 by Senator(s) Todd, Kerr, Merrifield; also Representative(s) Singer, Michaelson Jenet, Wilson--Concerning early support for student success through access to school counselors, and, in connection therewith, serving all grades through the behavioral health care professional matching grant program and the school counselor corps grant program.

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 Smallwood, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-135 as amended, SB17-068.
Laid over until Monday, February 27: SB17-143, SB17-130, SB17-035 as amended.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call vote:

MEMBERS OF THE
BOARD OF TRUSTEES FOR ADAMS STATE UNIVERSITY

for a term expiring December 31, 2019:

Michelle J. Lueck of Englewood, Colorado, a Democrat, and occasioned by the resignation of Valentin “Val” Vigil of Thornton, Colorado, appointed.

for terms expiring December 31, 2020:

Wendell Lorenzo Pryor of Denver, Colorado, a Democrat, reappointed;

Reeves Alderson Brown of Denver, Colorado, a Republican, appointed;

Honorable Pamela Sue Bricker of Del Norte, Colorado, an Unaffiliated, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, February 24, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

45th Legislative Day Friday, February 24, 2017

Prayer — By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order — By the President *pro tempore* at 9:00 a.m.

Roll Call — Present--31
Excused--4, Cooke, Fields, Grantham, Scott.
Present later--1, Fields.

Quorum — The President announced a quorum present.

Pledge — By Senator Priola.

Reading of the Journal — On motion of Senator Garcia, reading of the Journal of Thursday, February 23, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance — After consideration on the merits, the Committee recommends that **SB17-194** 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 **SB17-179** 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 **HB17-1078** 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 **SB17-111** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend the Business, Labor & Technology Committee Report, dated February 15, 2017, page 1, strike lines 11 through 13 and substitute:

"Page 2, line 20, strike "LICENSEE" and substitute "CENTER".

Page 2, strike line 22 and substitute "CENTER OR MEDICAL MARIJUANA-INFUSED PRODUCT MANUFACTURER IF ALL DIRECT BENEFICIAL OWNERS OF THE LICENSED BUSINESSES ARE THE SAME WITHOUT THE".".

Health & Human Services — After consideration on the merits, the Committee recommends that **HB17-1011** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 1 through 3 and substitute "THIS SECTION. THE REQUIRED NOTICE MUST BE PROVIDED TO THE CLIENT IN WRITING NO LATER THAN ONE HUNDRED EIGHTY DAYS AFTER THE END OF THE CLIENT'S TREATMENT. THE NOTICE MAY BE INCLUDED WITH THE LICENSEE'S DISCLOSURES PURSUANT TO SECTION 12-43-214 (1) OR SENT TO THE CLIENT'S LAST-KNOWN MAILING ADDRESS. CONSISTENT WITH".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-193** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 4, strike "**prevention strategies for,**".

Page 2, strike line 5.

Page 2, line 6, strike "**controlled substances -** " and substitute "**substance use disorder prevention, treatment, and recovery support strategies -** ".

Page 2, line 21, strike "COLORADO," and substitute "COLORADO;".

Page 2, strike lines 22 and 23.

Page 3, line 3, strike "2014." and substitute "2014;

(e) COLORADO AND OTHER STATES IN THE REGION HAVE THE HIGHEST DEATH RATES ATTRIBUTABLE TO ALCOHOL IN THE COUNTRY, AND APPROXIMATELY EIGHTEEN PERCENT, OR ONE OUT OF EVERY FIVE, OF ALL COLORADO ADULTS ENGAGED IN HEAVY OR BINGE DRINKING MONTHLY;

(f) IN ADDITION TO OPIOIDS, PRESCRIPTION DRUGS, AND ALCOHOL, SURVEYS SHOW USE RATES FOR METHAMPHETAMINE, COCAINE, AND OTHER ILLICIT DRUGS ARE HIGHER IN COLORADO THAN IN OTHER STATES; AND

(g) THERE IS A LACK OF SUFFICIENT RESEARCH ON THE MOST EFFECTIVE STRATEGIES FOR ADDRESSING SUBSTANCE USE DISORDERS ACROSS THE FULL CONTINUUM OF RECOMMENDED SERVICES THAT INCLUDE PREVENTION, EARLY INTERVENTION, TREATMENT, AND RECOVERY SUPPORT SERVICES.".

Page 3, strike lines 8 and 9 and substitute "SUBSTANCE USE DISORDER PREVENTION, TREATMENT, AND RECOVERY SUPPORT STRATEGIES.".

Page 3, line 10, strike "PREVENTION STRATEGIES FOR,".

Page 3, strike line 11.

Page 3, line 12, strike "CONTROLLED SUBSTANCES, AND ALCOHOL," and substitute "SUBSTANCE USE DISORDER PREVENTION, TREATMENT, AND RECOVERY SUPPORT STRATEGIES,".

Page 3, strike lines 16 through 23 and substitute:

"(a) ESTABLISH OR EXPAND PROGRAMS FOR RESEARCH CONCERNING PREVENTION, TREATMENT, AND RECOVERY SUPPORT STRATEGIES FOR SUBSTANCE USE DISORDERS, INCLUDING BUT NOT LIMITED TO OPIOID ADDICTION;

(b) ESTABLISH OR EXPAND INNOVATIVE TREATMENTS FOR SUBSTANCE USE DISORDERS, INCLUDING BUT NOT LIMITED TO OPIOID ADDICTION;

(c) EXPAND PARTNERSHIPS AND COLLABORATION WITH SUBSTANCE USE DISORDER PROFESSIONALS, OTHER PROGRAMS AT THE UNIVERSITY OF COLORADO, AND OTHER ORGANIZATIONS WITH SIMILAR MISSIONS THROUGHOUT THE STATE AND NATION; AND".

Page 3, line 25, after "CENTER'S" insert "RESEARCH".

Page 1, strike lines 102 through 104 and substitute "**INTO SUBSTANCE USE DISORDER PREVENTION, TREATMENT, AND RECOVERY SUPPORT STRATEGIES" AT THE UNIVERSITY OF**".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1094** be referred to the Committee of the Whole with favorable recommendation.

Education

After consideration on the merits, the Committee recommends that **HB17-1041** be referred to the Committee of the Whole with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **HB17-1131** 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 Engrossed: SB17-068 and 135.
Correctly Reengrossed: SB17-105, 106, 125, 153, 196, and 197.
Correctly Rerevised: HB17-1046.

MESSAGE FROM THE HOUSE

February 23, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1151.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1152, amended as printed in House Journal, February 21, 2017.
HB17-1021, amended as printed in House Journal, February 21, 2017.
HB17-1107, amended as printed in House Journal, February 22, 2017.
HB17-1137, amended as printed in House Journal, February 22, 2017.

The House has voted to concur in the Senate amendments to HB17-1019, 1030, 1058, 1017, 1020, 1047, and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

February 23, 2017

We herewith transmit:

Without comment, HB17-1151.
Without comment, as amended, HB17-1021, 1107, 1137, and 1152.

INTRODUCTION OF BILLS -- FIRST READING

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

HB17-1001 by Representative(s) Buckner; also Senator(s) Kerr--Concerning the ability of an employee of an employer who employs at least fifty employees to take up to eighteen hours of leave from work for purposes of attending his or her child's academic activities.
State, Veterans, & Military Affairs

HB17-1021 by Representative(s) Danielson; also Senator(s) Cooke--Concerning the release of information by the division of labor standards and statistics in the department of labor and employment concerning an employer's violation of wage laws.
Business, Labor, & Technology

HB17-1102 by Representative(s) Ginal; also Senator(s) Coram--Concerning a prohibition against engaging in a nuisance exhibition of motor vehicle exhaust.
State, Veterans, & Military Affairs

HB17-1107 by Representative(s) Thurlow and Bridges; also Senator(s) Martinez Humenik--Concerning the implementation of a new computer system by the division of motor vehicles to facilitate the division's administration of the operation of motor vehicles in the state.
Transportation

HB17-1137 by Representative(s) Thurlow and Hooton, Arndt, Nordberg; also Senator(s) Tate and Moreno, Kerr, Martinez Humenik--Concerning the scheduled repeal of reports by the department of revenue to the general assembly.
Finance

HB17-1151 by Representative(s) Hansen and Willett; also Senator(s) Kerr and Hill, Gardner--Concerning the regulation of electrical assisted bicycles.
Transportation

HB17-1152 by Representative(s) Willett and Mitsch Bush; also Senator(s) Scott--Concerning the authority of a federal mineral lease district to manage a portion of the direct distribution of money from the local government mineral impact fund to counties for the benefit of impacted areas.
Agriculture, Natural Resources, & Energy

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:

SB17-135 by Senator(s) Marble; also Representative(s) Lewis--Concerning the removal of the requirement that licensed chiropractors who are registered to perform animal chiropractic obtain a veterinary medical clearance by a licensed veterinarian before performing an act that falls within an animal chiropractor's scope of practice on an animal patient.

Laid over until Monday, February 27, retaining its place on the calendar.

SB17-068 by Senator(s) Todd, Kerr, Merrifield; also Representative(s) Singer, Michaelson Jenet, Wilson--Concerning early support for student success through access to school counselors, and, in connection therewith, serving all grades through the behavioral health care professional matching grant program and the school counselor corps grant program.

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

YES	23	NO	9	EXCUSED	3	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	E	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	E
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Guzman, Jahn, Jones, Kagan, Kefalas, Martinez Humenik, Moreno, Priola, Williams A., and Zenzinger.

Committee of the Whole

On motion of Senator Williams, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Williams was called to act as Chair.

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

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

HB17-1067 by Representative(s) Thurlow, Arndt; also Senator(s) Kerr, Moreno, Tate--Concerning updating references to a national standard setting forth technical criteria for accessible housing.

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

HB17-1016 by Representative(s) Saine and Gray; also Senator(s) Martinez Humenik and Zenzinger--Concerning the ability of an urban renewal authority to exclude the valuation attributable to the extraction of mineral resources located within an urban renewal area from the total amount of taxable property subject to division for the purpose of financing urban renewal projects.

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

HB17-1128 by Representative(s) Hamner, Rankin; also Senator(s) Donovan--Concerning the salary categorization of locally elected officials in Lake county.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	E	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	E
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1067, HB17-1016, HB17-1128.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (HB17-1055, SB17-139, SB17-158, SB17-190, HB17-1052) of Friday, February 24, was laid over until Monday, February 27, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB17-1074 and HB17-1025 were made Special Orders -- Consent Calendar at 9:21 a.m.

Committee of the Whole

The hour of 9:21 a.m. having arrived, Senator Williams 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 Williams 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:

HB17-1074 by Representative(s) Arndt, Thurlow; also Senator(s) Holbert, Kerr, Moreno, Tate--Concerning the repeal of obsolete laws relating to redistricting of congressional districts.

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

HB17-1025 by Representative(s) Arndt, Thurlow; also Senator(s) Holbert, Kerr, Moreno, Tate--Concerning the repeal of obsolete laws relating to reapportionment of state legislative districts.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	E	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	E
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1074, HB17-1025.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

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

MEMBER OF THE
COLORADO AERONAUTICAL BOARD

for a term expiring December 19, 2019:

Raymond Allen Beck of Craig, Colorado, to serve as a representative of local government in the western slope which operates airports, reappointed.

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	E	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	E
Fields	Y	Kefalas	Y	Priola	Y		

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

May 27, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATEWIDE INTERNET PORTAL AUTHORITY

for a term expiring June 1, 2020:

Honorable Lew Gaiter III of Fort Collins, Colorado, to serve as a representative of local government, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

August 22, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for terms expiring June 1, 2020:

Jesse Niles True of Dillon, Colorado, to serve as a representative of the ski industry, appointed;

Andrea Fulton of Wheat Ridge, Colorado, to serve as a representative of private travel attractions and casinos, reappointed;

Daniel R. Grunig of Denver, Colorado, to serve as a representative of tourism-related retail industry, small community, and small business, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

December 21, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
PINNACOL ASSURANCE BOARD OF DIRECTORS

for terms expiring January 1, 2022:

Howard L. Carver of Silverthorne, Colorado, who has experience in the management and operation of insurance companies, not competing with Pinnacol Assurance, reappointed;

Jeffrey L. Cummings of Arvada, Colorado, an employer whose liability is insured by Pinnacol Assurance, reappointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 1/4/2017
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

September 27, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLLEGEINVEST BOARD OF DIRECTORS

for terms expiring July 31, 2020:

Jason B. Maples, CLU, ChFC, CFP of Greenwood Village, Colorado, reappointed;

Rita C. Felde of Evergreen, Colorado, reappointed;

Frederick Taylor of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Education

July 15, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO TRAUMATIC BRAIN
INJURY TRUST FUND BOARD

for terms expiring June 30, 2019:

Brittany Matern of Denver, Colorado, appointed;

Catharine Howard Johnston-Brooks, PhD, ABPP of Broomfield, Colorado, reappointed;

Helen E. Morgan of Denver, Colorado, reappointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

June 15, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
MEDICAL SERVICES BOARD

for terms expiring July 1, 2020:

Donna Marie Roberts, BSN, RN of Laird, Colorado, to serve as a resident of the 4th Congressional District, a Democrat, with knowledge of medical assistance programs, reappointed;

Christy Strong Blakely of Littleton, Colorado, to serve as a resident of the Sixth Congressional District, a Republican, and as a family member of a person with a disability, reappointed;

An Thi H. Nguyen of Denver, Colorado, to serve as a resident of the First Congressional District, a Democrat, with knowledge of medical assistance programs, appointed;

L. Charlotte “Charlie” Lippolis, DO, MPH of Evergreen, Colorado, to serve as a resident of the Second Congressional District, an Unaffiliated, with experience in caring for medically underserved children, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

January 17, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE BOARD OF HUMAN SERVICES

for a term expiring March 1, 2019:

Julie Ann Holligan Westendorff of Durango, Colorado, to serve as a county commissioner, and occasioned by the resignation of the Honorable David Allen Foy of Otis, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/2/2017
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

August 2, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
SECURITIES BOARD

for a term expiring July 1, 2019:

Curtis J. Winar, CPA/CFF, CVA of Centennial, Colorado, to serve as a certified public accountant, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

October 5, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
TRANSPORTATION COMMISSION

for a term expiring July 1, 2019:

Robert Keith Scott of Colorado Springs, Colorado, to serve as a commissioner from the Ninth Transportation District, and occasioned by the resignation of Nolan E. Schriner of Colorado Springs, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Transportation

July 22, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for terms expiring July 1, 2020:

Cassandra “Cassie” Gannett, PhD of Colorado Springs, Colorado, a resident of the Fifth Congressional District and an Unaffiliated, appointed;

Mary Beth Buescher of Grand Junction, Colorado, a resident of the Third Congressional District and a Democrat, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Education

May 23, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for terms expiring January 31, 2019:

William R. Toor of Boulder Colorado, to serve as a representative with technical and private sector experience, reappointed;

Jana Beth Milford of Boulder, Colorado, to serve as a representative with legal and scientific experience, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

January 20, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for terms expiring January 31, 2020:

Peter Butler of Durango, Colorado, to serve as a person with appropriate technical and scientific experience, reappointed;

Charles George Grobe of Craig, Colorado, to serve as a person with appropriate industrial experience, reappointed;

Anthony Gerber of Denver, Colorado, to serve as a person with appropriate scientific experience, reappointed;

Jeffrey Todd Mitchell of Aspen, Colorado, to serve as a person with appropriate scientific and technical experience, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/2/2017
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

October 13, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2019:

Ryan Zivorad Minic of Thornton, Colorado to serve as a representative of a private occupational school, and occasioned by the resignation of Richard Semakula of Centennial, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Education

August 31, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2020:

Robert Earl Martin of Wheat Ridge, Colorado to serve as a representative of a private occupational school, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Education

May 9, 2016

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2016:

Cynthia D. Mares of Centennial, Colorado, representing registered electors, and as a Democrat, and occasioned by the resignation of Charles J. Murphy of Colorado Springs, Colorado, appointed;

for a term expiring July 1, 2020:

Cynthia D. Mares of Centennial, Colorado, representing registered electors, and as a Democrat, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Finance

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-052, 159, 160, 161, 162, 163, 164, 166, 167, 168, 169, 170, 171, 172, and 175.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, February 27, 2017.

Approved:

Jerry Sonnenberg
President *pro tempore*
of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

48th Legislative Day — Monday, February 27, 2017

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Williams.

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Friday, February 24, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Reengrossed: SB17-068.
Correctly Revised: HB17-1016, 1025, 1067, 1074, and 1128.

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

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

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

HB17-1067 by Representative(s) Thurlow, Arndt; also Senator(s) Kerr, Moreno, Tate--Concerning updating references to a national standard setting forth technical criteria for accessible housing.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Kefalas.

HB17-1016 by Representative(s) Saine and Gray; also Senator(s) Martinez Humenik and Zenzinger--Concerning the ability of an urban renewal authority to exclude the valuation attributable to the extraction of mineral resources located within an urban renewal area from the total amount of taxable property subject to division for the purpose of financing urban renewal projects.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Priola.

HB17-1128 by Representative(s) Hamner, Rankin; also Senator(s) Donovan--Concerning the salary categorization of locally elected officials in Lake county.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Fields, Gardner, Grantham, Martinez Humenik, Merrifield, Priola, and Scott.

HB17-1074 by Representative(s) Arndt, Thurlow; also Senator(s) Holbert, Kerr, Moreno, Tate--Concerning the repeal of obsolete laws relating to redistricting of congressional districts.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Crowder, Gardner, Hill, Kagan, Martinez Humenik, Priola, Scott, and Todd.

HB17-1025 by Representative(s) Arndt, Thurlow; also Senator(s) Holbert, Kerr, Moreno, Tate--Concerning the repeal of obsolete laws relating to reapportionment of state legislative districts.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Crowder, Kagan, Martinez Humenik, Merrifield, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB17-135 by Senator(s) Marble; also Representative(s) Lewis--Concerning the removal of the requirement that licensed chiropractors who are registered to perform animal chiropractic obtain a veterinary medical clearance by a licensed veterinarian before performing an act that falls within an animal chiropractor's scope of practice on an animal patient.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Cooke, Crowder, Grantham, Hill, Jahn, Kagan, Lundberg, Neville T., and Williams A.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-146 by Senator(s) Jahn; also Representative(s) Ginal--Concerning access to the electronic prescription drug monitoring program.

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

SB17-142 by Senator(s) Williams A., Donovan, Fields, Garcia, Kerr, Martinez Humenik, Moreno, Todd; also Representative(s) Danielson, Benavidez, Buckner, Coleman, Exum, Herod, Jackson, McLachlan, Melton, Michaelson Jenet, Pettersen, Salazar, Singer, Winter--Concerning the requirement to include notification to a patient regarding the patient's breast tissue classification with the required mammography report.

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

SB17-143 by Senator(s) Williams A., Court, Fenberg, Hill, Kagan, Kerr, Tate, Todd; also Representative(s) Nordberg and Garnett--Concerning the retail sale of alcohol beverages.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, February 14, page 205 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.)

SB17-130 by Senator(s) Priola; --Concerning alignment of the number of hours of practical experience required to register as a sprinkler fitter with the number of hours of practical experience required to become licensed as a journeyman plumber.

Laid over until Friday, March 3, retaining its place on the calendar.

SB17-035 by Senator(s) Sonnenberg; --Concerning tampering with equipment associated with oil and gas gathering operations.

(Amended in general orders as printed in Senate journal, February 23, page(s) 279.)

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.)

HB17-1055 by Representative(s) Herod; also Senator(s) Gardner--Concerning a voluntary contribution designation benefiting the Urban Peak Housing and Support Services for Youth Experiencing Homelessness fund that appears on the state individual tax return forms.

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

SB17-139 by Senator(s) Hill and Williams A.; also Representative(s) Pabon--Concerning the extension of the credit for tobacco products that a distributor ships or transports to an out-of-state consumer.

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

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (SB17-158, SB17-190, HB17-1052, HB17-1014, SB17-004) of Monday, February 27, was laid over until Tuesday, February 28, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB17-143 by Senator(s) Williams A., Court, Fenberg, Hill, Kagan, Kerr, Tate, Todd; also Representative(s) Nordberg and Garnett--Concerning the retail sale of alcohol beverages.

Senator Aguilar moved to amend the Report of the Committee of the Whole to show that the following Aguilar floor amendment, (L.019) to SB 17-143, did pass.

Amend the Business, Labor, and Technology Committee Report, dated February 13, 2017, page 1, strike lines 1 through 17 and substitute:

"Amend printed bill, page".

Page 1 of the committee report, line 18, strike "Page".

Amend printed bill, page 5, strike lines 7 and 8 and substitute "(2)(a)(III); and **repeal** (2)(a)(IV) as follows:".

Page 5 of the bill, strike lines 22 through 27.

Page 6 of the bill, strike lines 1 through 20.

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 was **lost** on the following roll call vote:

YES	14	NO	21	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	N	Scott	N
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	N	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	N
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	N	Priola	N		

Senator Aguilar moved to amend the Report of the Committee of the Whole to show that the following Aguilar floor amendment, (L.010) to SB 17-143, did pass.

Amend the Business, Labor, and Technology Committee Report, dated February 13, 2017, page 1, strike lines 1 and 2 and substitute:

"Amend printed bill, page 5, strike line 7 and substitute "(1)(b)(I) introductory portion, (4)(a), and (4)(b)(IV) introductory portion;".".

Page 1 of the committee report, line 3, strike "line 10" and substitute "lines 10 through 21".

Page 1 of the committee report, line 16, strike "met:" and substitute "met:".".

Page 1 of the committee report, strike line 17.

Amend printed bill, page 6, line 22, strike "(5)(p)(II); and **repeal** (10)" and substitute "(5)(p)(II)".

Page 7 of the bill, strike lines 8 through 22.

On request of Majority Leader Holbert, the amendment was severed into two sections and voted upon as follows:

Severed Section A: Senator Aguilar moved to amend the Report of the Committee of the Whole to show that the following section of the Aguilar floor amendment, (L.010) to SB 17-143, did pass.

Amend the Business, Labor, and Technology Committee Report, dated February 13, 2017, page 1, strike lines 1 and 2 and substitute:

"Amend printed bill, page 5, strike line 7 and substitute "(1)(b)(I) introductory portion, (4)(a), and (4)(b)(IV) introductory portion;".".

Page 1 of the committee report, line 3, strike "line 10" and substitute "lines 10 through 21".

Page 1 of the committee report, line 16, strike "met:" and substitute "met:".".

Page 1 of the committee report, strike line 17.

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 was **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	N
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	N	Priola	N		

Severed Section B: Senator Aguilar moved to amend the Report of the Committee of the Whole to show that the following section of the Aguilar floor amendment, (L.010) to SB 17-143, did pass.

Amend printed bill, page 6, line 22, strike "(5)(p)(II); and **repeal** (10)" and substitute "(5)(p)(II)".

Page 7 of the bill, strike lines 8 through 22.

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senator Aguilar moved to amend the Report of the Committee of the Whole to show that the following Aguilar floor amendment, (L.004) to SB 17-143, did pass.

Amend printed bill, page 3, strike lines 13 through 19 and substitute "the sale of malt, vinous, and spirituous liquors and nonalcohol products, ~~but only if~~ SUBJECT TO the LIMITATION ON annual gross revenues from the sale of ~~nonalcohol products does not exceed twenty percent of the retail liquor store's total annual gross revenues~~ FOOD ITEMS SPECIFIED IN SECTION 12-47-407 (1)(b).".

Page 4, line 24, strike "(1)(b)" and substitute "(1)(b); and **add** (7)".

Page 4, strike lines 26 and 27.

Page 5, strike lines 1 through 5 and substitute "liquor stores may sell any nonalcohol products, but ~~only if the~~ A RETAIL LIQUOR STORE'S annual gross revenues from the sale of ~~nonalcohol products do~~ FOOD ITEMS MUST not exceed twenty percent of the retail liquor store's total annual

gross revenues.

(7) AS USED IN THIS SECTION, "FOOD ITEMS" MEANS ANY RAW, COOKED, OR PROCESSED EDIBLE SUBSTANCE, OTHER THAN ICE OR BEVERAGES, INTENDED FOR USE OR FOR SALE IN WHOLE OR IN PART FOR HUMAN CONSUMPTION.".

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SB17-035 by Senator(s) Sonnenberg; --Concerning tampering with equipment associated with oil and gas gathering operations.

Senator Sonnenberg moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 17-035 did pass.

Amend printed bill, page 3, line 10, strike "~~2 misdemeanor~~ 6 FELONY." and substitute "2 misdemeanor.".

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Priola, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-146, SB17-142, SB17-143 as amended, SB17-035 as amended, SB17-139, HB17-1055.
Laid over until Tuesday, February 28: SB17-158, SB17-190, HB17-1052, HB17-1014, SB17-004.
Laid over until Friday, March 3: SB17-130.

MESSAGE FROM THE HOUSE

February 27, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1083, amended as printed in House Journal, February 24, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes SB17-056, amended as printed in House Journal, February 24, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

February 27, 2017

We herewith transmit:

Without comment, as amended, HB17-1083.
Without comment, as amended, SB17-056.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB17-1005, 1010, 1018, 1024.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, February 28, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

49th Legislative Day Tuesday, February 28, 2017

Prayer — By the chaplain, Nick Brothers, Cross Bar X Youth Ranch, Durango.

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

Roll Call — Present--35

Quorum — The President announced a quorum present.

Musical Presentation — By the New Hope Baptist Church Mass Choir, performing "Siyahamba", "Total Praise", and "Glory - Battle Hymn of the Republic". The choir was directed by Rodney Norman.

Pledge — By Senator Williams.

The Senate proceeded out of order for a moment of personal privilege.

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Monday, February 27, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-195** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1006** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1032** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1050** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-177** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appro-priations — After consideration on the merits, the Committee recommends that **SB17-152** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 11, before line 5 insert:

"**SECTION 8. Appropriation.** For the 2017-18 state fiscal year, $4,120 is appropriated to the department of state. This appropriation is from the department of state cash fund created in section 24-21-104 (3)(b), C.R.S. To implement this act, the department may use this appropriation for personal services.".

Renumber succeeding section accordingly.

Page 1, line 109, strike "**AND**".

Page 2, line 102, strike "**AMENDMENT.**" and substitute "**AMENDMENT, AND MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-027** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB17-088** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 10, after line 25 insert:

"**SECTION 3. Appropriation.** For the 2017-18 state fiscal year, $42,006 is appropriated to the department of regulatory agencies for use by the division of insurance. This appropriation is from the division of insurance cash fund created in section 10-1-103 (3), C.R.S. To implement this act, the division may use this appropriation as follows:
(a) $36,828 for personal services, which is based on an assumption that the division will require an additional 0.5 FTE; and
(b) $5,178 for operating expenses and capital outlay costs.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**PROVIDERS.**" and substitute "**PROVIDERS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-061** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, strike line 27 and substitute:

"**22-30.5-513.1. Mill levy equalization report - fund created - legislative declaration.** (1) THE GENERAL ASSEMBLY FINDS THAT SCHOOL DISTRICTS RECEIVE SIGNIFICANT OPERATING REVENUE FROM MILL LEVIES THAT ARE IN ADDITION TO THE SCHOOL DISTRICTS' TOTAL PROGRAM MILL LEVY. THIS ADDITIONAL REVENUE HELPS SCHOOL DISTRICTS OFFSET THE EFFECTS OF THE NEGATIVE FACTOR IMPOSED BY SECTION 22-54-104 (5)(g). THE GENERAL ASSEMBLY FURTHER FINDS THAT INSTITUTE CHARTER SCHOOLS DO NOT HAVE ACCESS TO ADDITIONAL REVENUE FROM A LOCAL PROPERTY TAX MILL LEVY. THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS APPROPRIATE TO CONSIDER ADDITIONAL STATE EQUALIZING FUNDING FOR INSTITUTE CHARTER SCHOOLS.

(2) (a) THE MILL LEVY EQUALIZATION FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF ANY AMOUNT THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL CREDIT TO THE FUND ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND.

(b) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE INSTITUTE SHALL ANNUALLY DISTRIBUTE ALL OF THE MONEY APPROPRIATED OR TRANSFERRED TO THE FUND TO THE INSTITUTE CHARTER SCHOOLS ON AN EQUAL PER-PUPIL BASIS. THE MONEY DISTRIBUTED PURSUANT TO THIS SECTION IS IN ADDITION TO MONEY DISTRIBUTED TO INSTITUTE CHARTER SCHOOLS PURSUANT TO SECTION 22-30.5-513.".

Strike pages 6 and 7.

Page 8, strike lines 1 through 12.

SENATE SERVICES REPORT

Correctly Engrossed: SB17-035, 139, 142, 143, and 146.
Correctly Reengrossed: SB17-135.
Correctly Revised: HB17-1055.
Correctly Rerevised: HB17-1016, 1025, 1067, 1074, and 1128.

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:

SB17-146 by Senator(s) Jahn; also Representative(s) Ginal--Concerning access to the electronic prescription drug monitoring program.

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Fields, Garcia, Guzman, Jones, Kefalas, Kerr, Merrifield, Todd, and Williams A.

SB17-142 by Senator(s) Williams A., Donovan, Fields, Garcia, Kerr, Martinez Humenik, Moreno, Todd; also Representative(s) Danielson, Benavidez, Buckner, Coleman, Exum, Herod, Jackson, McLachlan, Melton, Michaelson Jenet, Pettersen, Salazar, Singer, Winter--Concerning the requirement to include notification to a patient regarding the patient's breast tissue classification with the required mammography report.

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	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	N
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Coram, Guzman, Jones, Merrifield, and Priola.

SB17-143 by Senator(s) Williams A., Court, Fenberg, Hill, Kagan, Kerr, Tate, Todd; also Representative(s) Nordberg and Garnett--Concerning the retail sale of alcohol beverages.

Laid over until Wednesday, March 1, retaining its place on the calendar.

SB17-035 by Senator(s) Sonnenberg; also Representative(s) Becker J.--Concerning tampering with equipment associated with oil and gas gathering operations.

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Holbert, Lambert, Lundberg, Marble, Neville T., Priola, Scott, and Smallwood.

HB17-1055 by Representative(s) Herod; also Senator(s) Gardner--Concerning a voluntary contribution designation benefiting the Urban Peak Housing and Support Services for Youth Experiencing Homelessness fund that appears on the state individual tax return forms.

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Court, Fenberg, Fields, Guzman, Hill, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Todd, Williams A., and Zenzinger.

SB17-139 by Senator(s) Hill and Williams A.; also Representative(s) Pabon--Concerning the extension of the credit for tobacco products that a distributor ships or transports to an out-of-state consumer.

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	N	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Grantham, Holbert, Kagan, Marble, Neville T., Scott, Smallwood, and Sonnenberg.

Committee of the Whole

On motion of Senator Coram, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Coram was called to act as Chair.

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

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

SB17-194 by Senator(s) Neville T.; also Representative(s) Pabon--Concerning an exception to the statutory deadlines for making income tax refunds for returns suspected of refund-related fraud.

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

SB17-179 by Senator(s) Gardner and Kerr; also Representative(s) Herod--Concerning the limitation on the amount of fees that can be assessed for allowing solar energy device installations, and, in connection therewith, extending the repeal date.

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

HB17-1078 by Representative(s) Landgraf; also Senator(s) Coram--Concerning the repeal of the Colorado family support loan program, and, in connection therewith, transferring funds from the Colorado family support loan program to the family support services program to provide services for families of persons with intellectual and developmental disabilities.

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

HB17-1131 by Representative(s) Kraft-Tharp and Saine, Winter, Nordberg; also Senator(s) Smallwood and Donovan, Neville T., Jahn--Concerning contracting by the Colorado student loan program for the administration of the college opportunity fund program.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Coram, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-194, SB17-179, HB17-1078, HB17-1131.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-158 by Senator(s) Tate, Priola, Smallwood, Neville T.; also Representative(s) Nordberg-- Concerning modifications to the composition of the board of trustees of the public employees' retirement association.

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

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (SB17-190, HB17-1052, HB17-1014, SB17-004, HB17-1011, HB17-1094, HB17-1041) of Tuesday, February 28, was laid over until Wednesday, March 1, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB17-158 by Senator(s) Tate, Priola, Smallwood, Neville T.; also Representative(s) Nordberg-- Concerning modifications to the composition of the board of trustees of the public employees' retirement association.

Senator Jones moved to amend the report of the Committee of the Whole to show that the following Jones floor amendment, (L.006) to SB 17-158, did pass.

> Amend printed bill, page 5, line 14, after "party." add "THE GOVERNOR SHALL ENSURE THAT NONE OF THE THREE ADDITIONAL TRUSTEES HAS EVER BEEN EMPLOYED BY AN INSTITUTION IMPLICATED IN THE BANKING CRISES OF 2008, WHICH LED TO THE GREAT RECESSION. THESE INSTITUTIONS INCLUDE LEHMAN BROTHERS, MERRILL LYNCH, AIG, FREDDIE MAC, FANNIE MAE, HBOS, ROYAL BANK OF SCOTLAND, BRADFORD AND BINGLEY, FORTIS, HYPO, ALLIANCE AND LEICESTER, BLACKSTONE GROUP, CITIGROUP, CARLYLE GROUP, BEAR STEARNS, JP MORGAN CHASE, AND BANK OF AMERICA.".

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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Coram, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-158
Laid over until Wednesday, March 1: SB17-190, HB17-1052, HB17-1014, SB17-004, HB17-1011, HB17-1094, HB17-1041.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-056 by Senator(s) Kerr, Tate, Moreno; also Representative(s) Arndt, Thurlow--Concerning the scheduled repeal of reports by the department of public health and environment to the general assembly.

Laid over until Wednesday, March 1, retaining its place on the calendar.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB17-1092** 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 4, line 24, after the period, add "THE SECRETARY OF STATE SHALL POST THE INFORMATION FILED IN ACCORDANCE WITH THIS SUBSECTION (1) ON THE SECRETARY OF STATE'S WEBSITE. THE SECRETARY OF STATE HAS NO DUTY TO DETERMINE WHETHER THE DOCUMENTS FILED COMPLY WITH THE REQUIREMENTS OF THIS ARTICLE 13, OR TO DETERMINE THE PERFORMING RIGHTS SOCIETY'S COMPLIANCE WITH THIS ARTICLE 13.".

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-156** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 12, strike line 2 and substitute "upon passage and applies to:

(a) Common interest communities containing single-family dwellings for which the declaration is filed on or after the date of passage; and

(b) Multi-family and commercial structures for which a final certificate of occupancy is issued on or after that date.".

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-186** be referred to the Committee on Finance with favorable recommendation.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Representative Sias was added as a joint prime sponsor on SB17-179 with Senators Gardner and Kerr and Representative Herod.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Local Government — After consideration on the merits, the Committee recommends that **SB17-183** be referred to the Committee on Appropriations with favorable recommendation.

Local Government — After consideration on the merits, the Committee recommends that **HB17-1054** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

MESSAGE FROM THE HOUSE

February 28, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1125, 1149.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1173, amended as printed in House Journal, February 27, 2017.

The House has passed on Third Reading and returns herewith SB17-034.

MESSAGE FROM THE REVISOR OF STATUTES

February 28, 2017

We herewith transmit:

Without comment, HB17-1125 and 1149.
Without comment, as amended, HB17-1173.

INTRODUCTION OF RESOLUTIONS

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

SJR17-014 by Senator(s) Aguilar and Gardner; also Representative(s) Lontine and Sias--Concerning the designation of March 2, 2017, as "Colorado Arc Day".

Laid over until Thursday, March 2, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

SB17-199 by Senator(s) Neville T. and Kerr, Priola; also Representative(s) Winter and Liston--Concerning the licensing of retail liquor stores.
Business, Labor, & Technology

SB17-200 by Senator(s) Priola, Hill, Martinez Humenik, Neville T.; --Concerning raising academic excellence in the public schools by distributing up to one percent of public school funding based on a competitive determination of academic excellence among peer school districts commencing in the 2018-19 budget year.
Education

SB17-201 by Senator(s) Cooke and Fields; --Concerning the continuation of the domestic violence offender management board, and, in connection therewith, implementing the recommendations of the 2016 sunset report issued by the department of regulatory agencies.
Judiciary

SB17-202 by Senator(s) Coram; also Representative(s) Esgar--Concerning measures to conserve native species in Colorado, and, in connection therewith, making appropriations from the species conservation trust fund for purposes recommended by the department of natural resources.
Agriculture, Natural Resources, & Energy

SB17-203 by Senator(s) Todd, Coram, Aguilar, Crowder, Kefalas; also Representative(s) Covarrubias and Kennedy--Concerning the prohibition against a carrier requiring a covered person to undergo step therapy, and, in connection therewith, requiring coverage for a prescribed medication that is part of the carrier's medication formulary.
Business, Labor, & Technology

SB17-204 by Senator(s) Priola; also Representative(s) Lawrence, Garnett--Concerning the improper denial of property and casualty insurance claims.
Business, Labor, & Technology

HB17-1083 by Representative(s) Liston; also Senator(s) Gardner--Concerning an exemption for certain traffic violations of the requirement that a municipal judge inform a defendant of certain rights.
Judiciary

SB17-205 by Senator(s) Kefalas, Aguilar, Merrifield, Moreno; also Representative(s) Rosenthal, Ginal--Concerning multimodal transportation infrastructure funding, and, in connection therewith, requiring the transportation commission to submit a ballot question to the voters of the state at the November 2017, 2018, or 2019 election, which, if approved, would authorize the state to increase the rate of the state sales and use taxes from two and nine-tenths percent to three and fifteen one-hundredths percent and to issue additional transportation revenue anticipation notes for the purpose of addressing critical priority multimodal transportation needs in the state by financing transportation projects, including passenger rail, and would exclude the additional sales and use tax revenue and note proceeds and investment earnings on note proceeds from state fiscal year spending limits.
Transportation

HB17-1125 by Representative(s) Nordberg and Winter, Kraft-Tharp; also Senator(s) Jahn and Smallwood, Donovan, Neville T.--Concerning eliminating the duty of the division of correctional industries to provide certain services for the state's correctional facilities.
Judiciary

HB17-1126 by Representative(s) Danielson and Michaelson Jenet; also Senator(s) Crowder--Concerning the review of legal sufficiency of medicaid appeals.
Health & Human Services

HB17-1149 by Representative(s) Exum and Michaelson Jenet; also Senator(s) Gardner--Concerning special license plates issued to members of the United States military who served in the United States Army special forces.
Transportation

HB17-1173 by Representative(s) Hansen; also Senator(s) Neville T.--Concerning required provisions in a contract between a health insurance carrier and a health care provider concerning medical communications regarding disagreements in health care decisions.
Business, Labor, & Technology

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

June 6, 2016

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

Ladies and Gentlemen:

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

EXECUTIVE DIRECTOR
COLORADO DEPARTMENT OF NATURAL RESOURCES

effective immediately for a term expiring at the pleasure of the Governor:

Robert W. Randall of Denver, Colorado, and occasioned by the resignation of Mike King of Parker, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

June 20, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE ELECTRICAL BOARD

for terms expiring July 1, 2019:

David Roderick Olson of Niwot, Colorado, a member of the public at large, reappointed;

Michael Allen Miller of Aurora, Colorado, to serve as an electrical contractor who has a master's license, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

December 21, 2016

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO SCHOOL OF MINES, BOARD OF TRUSTEES

effective December 31, 2016 for terms expiring December 31, 2020:

Timothy John Haddon of Denver, Colorado, an Unaffiliated, to serve as a graduate of the Colorado School of Mines, reappointed;

Jesus Juan Salazar of Denver, Colorado, a Democrat, to serve as a graduate of the Colorado School of Mines, appointed;

Charles S. McNeil of Cherry Hills Village, Colorado, a Republican, to serve as a graduate, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 2/24/2017
Effie Ameen, Secretary of the Senate

Committee on Education

On motion of Assistant Majority Leader Scott, the Senate adjourned until 9:00 a.m., Wednesday, March 1, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

50th Legislative Day Wednesday, March 1, 2017

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community: A Mennonite Congregation, Littleton.

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

Roll Call — Present--34
Excused--1, Martinez Humenik.
Present later--1, Martinez Humenik.

Quorum — The President announced a quorum present.

Pledge — By Senator Williams.

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Tuesday, February 28, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance — After consideration on the merits, the Committee recommends that **SB17-188** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, line 5, strike "(14)(c)" and substitute "(14)".

Page 4, line 9, strike "2018," and substitute "2020,".

Page 4, line 15, strike "~~1/1/2020~~" and substitute "1/1/2020".

Page 4, line 16, strike "1/1/2018".

Page 4, line 24, strike "2018," and substitute "2020,".

Page 5, line 3, strike "~~1/1/2020~~" and substitute "1/1/2020".

Page 5, line 4, strike "1/1/2018".

Page 5, line 12, strike "2018," and substitute "2020,".

Page 5, line 18, strike "~~1/1/2020~~" and substitute "1/1/2020".

Page 5, line 19, strike "1/1/2018".

Page 10, line 7, strike "2018," and substitute "2020,".

Page 10, strike lines 15 through 20 and substitute:

	Income tax year commencing:					
(b)	1/1/2014 1/1/2015 1/1/2016	1/1/2017 1/1/2018	1/1/2019	~~1/1/2020~~	~~1/1/2021 but before 1/1/2022~~	~~Cap per income tax year~~

Category 8	18%	15%	11.75%	~~7.5%~~	~~3.75%~~	~~$7,500~~

Page 10, line 23, strike "2018," and substitute "2020,".

Page 11, strike lines 9 through 14 and substitute:

(b)	Income tax year commencing:					
	1/1/2014 1/1/2015 1/1/2016	1/1/2017 1/1/2018	1/1/2019	~~1/1/2020~~	~~1/1/2021 but before 1/1/2022~~	~~Cap per income tax year~~
Category 8 A	55%	45%	33.75%	~~22.5%~~	~~11.25%~~	~~$7,500~~

Page 11, line 18, strike "2018," and substitute "2020,".

Page 11, strike line 22.

Page 12, strike lines 1 through 4 and substitute:

(b)	Income tax year commencing:		
	1/1/2017 but before 1/1/2020	~~1/1/2020 but before 1/1/2021~~	~~1/1/2021 but before 1/1/2022~~
Category 9	$5,000	~~$4,000~~	~~$2,500~~

Page 12, strike line 5 and substitute:

"(14) ~~(a) During the calendar year ending December 31, 2018, the Colorado energy office created in section 24-38.5-101, C.R.S., shall determine whether category 4, 4 A, 4 B, 4 C, 7, 7 A, or 9 medium or heavy duty trucks generate life-cycle emissions materially greater than comparable medium or heavy duty trucks using traditional fuel. Such a life-cycle analysis must include the direct emissions regulated by the United States environmental protection agency or by the department of public health and environment that are associated with producing, transporting, and using the alternative or traditional fuels. The Colorado energy office shall consider the likely adoption of future technology at each stage of the life-cycle.~~

~~(b) In making the determinations described in paragraph (a) of this subsection (14), the Colorado energy office shall consider public input, any analysis or reports prepared by the department of public health and environment, other states, or the United States environmental protection agency, and any peer-reviewed studies conducted in the United States that evaluate similar~~ matters.

~~(c) In the event that category 4, 4 A, 4 B, 4 C, 7, 7 A, or 9~~".

Page 13, line 26, strike "TAX REVENUE" and substitute "TAXES".

Finance After consideration on the merits, the Committee recommends that **HB17-1137** 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 **HB17-1093** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary

After consideration on the merits, the Committee recommends that **SB17-189** 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 6, strike lines 2 through 6 and substitute "check conducted pursuant to ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION shall report to local law enforcement, ~~or~~ to the county department when the county department has a fingerprint machine, ~~and undergo~~ OR TO ANOTHER DESIGNATED ENTITY TO OBTAIN A SET OF FINGERPRINTS FOR a fingerprint-based criminal".

Page 8, after line 2 insert:

"**SECTION 7.** In Colorado Revised Statutes, 19-3-407, **amend** (1) introductory portion and (1)(a) introductory portion as follows:

19-3-407. Noncertified kinship care - requirement for background checks and other checks - definitions. (1) EXCEPT AS DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION, A county department shall request that a local law enforcement agency conduct the following background checks of kin or any adult who resides at the home prior to placing a child in noncertified kinship care, unless such placement is an emergency placement pursuant to section 19-3-406:

(a) A fingerprint-based criminal history record check through the Colorado bureau of investigation, WHICH CRIMINAL HISTORY RECORD CHECK MAY BE CONDUCTED BY A THIRD PARTY APPROVED BY THE BUREAU, and the federal bureau of investigation to determine if the kin or an adult who resides at the home has been convicted of:".

Renumber succeeding sections accordingly.

Trans-portation

After consideration on the merits, the Committee recommends that **HB17-1061** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Trans-portation

After consideration on the merits, the Committee recommends that **HB17-1105** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Trans-portation

After consideration on the merits, the Committee recommends that **SB17-180** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, after "payment," insert "AND NOT BEFORE THE DECISION IMPOSING THE FINE OR CIVIL PENALTY BECOMES A FINAL DECISION BY THE COMMISSION," on: **Page 5**, lines 10 and 23; and **Page 6**, line 4.

Trans-portation

After consideration on the merits, the Committee recommends that **HB17-1044** 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 3, after line 4 insert:

"**SECTION 2.** In Colorado Revised Statutes, 42-2-103, **amend** (1)(b), (1)(d), and (1)(e) introductory portion; and **add** (2.5) as follows:

42-2-103. Motorcycles - low-power scooters - driver's license required. (1) (b) The department shall require an applicant for a general motorcycle endorsement to demonstrate the applicant's ability to exercise ordinary and reasonable care and control in the operation of a motorcycle THAT IS NOT AN AUTOCYCLE. The department shall also require an applicant for a limited three-wheel motorcycle endorsement to demonstrate the applicant's ability to exercise ordinary and reasonable care and control in the operation of a three-wheel motorcycle THAT IS NOT AN AUTOCYCLE.

(d) Except as provided in ~~paragraph (e) of this subsection (1)~~ SUBSECTION (1)(e) OF THIS SECTION, a person with only a limited three-wheel motorcycle endorsement may drive a three-wheel motorcycle THAT IS NOT AN AUTOCYCLE but shall not drive a two-wheel motorcycle on a roadway.

(e) The driver of a motorcycle need not obtain a two- or three-wheel motorcycle endorsement if the motorcycle IS AN AUTOCYCLE OR IF THE MOTORCYCLE has:

(2.5) AN OPERATOR OF AN AUTOCYCLE SHALL POSSESS A VALID DRIVER'S LICENSE OR MINOR DRIVER'S LICENSE.

SECTION 3. In Colorado Revised Statutes, 42-3-201, **amend** (1)(a)(I)(D) and (1)(a)(I)(E); and **repeal** (1)(a)(I)(F) as follows:

42-3-201. Number plates furnished - style - periodic reissuance - tabs - rules. (1) (a) (I) The department shall issue to every owner whose vehicle is registered two number plates; except that the department shall issue one number plate for the following:

(D) A vehicle drawn by a motor vehicle; OR

(E) An item of special mobile machinery. ~~or~~

(F) ~~An autocycle.~~

SECTION 4. In Colorado Revised Statutes, 42-3-202, **amend** (1)(a) as follows:

42-3-202. Number plates to be attached. (1) (a) The owner shall attach the number plates assigned to a self-propelled vehicle, other than a ~~motorcycle, autocycle,~~ MOTORCYCLE or street rod vehicle, to the vehicle with one in the front and the other in the rear. The owner shall attach the number plate assigned to a motorcycle, ~~autocycle,~~ street rod vehicle, trailer, semitrailer, other vehicle drawn by a motor vehicle, or special mobile machinery to the rear of the vehicle. The owner shall display number plates during the current registration year, except as otherwise provided in this ~~article~~ ARTICLE 3.

SECTION 5. In Colorado Revised Statutes, 42-3-203, **repeal** (1)(b) as follows:

42-3-203. Standardized plates - notice of funding through gifts, grants, and donations - rules - repeal. (1) (b) ~~The department shall issue a registered autocycle a license plate that:~~

~~(I) Is the same size as a motorcycle license plate; and~~

~~(II) Displays the registration number in numerals or letters of at least one-and-one-half inches in height.~~".

Renumber succeeding sections accordingly.

SENATE SERVICES REPORT

Correctly Printed: SB17-199, 200, 201, 202, 203, 204, and 205; SJR17-014.
Correctly Engrossed: SB17-158, 179, and 194.
Correctly Reengrossed: SB17-035, 139, 142, and 146.
Correctly Revised: HB17-1078 and 1131.
Correctly Rerevised: HB17-1055.
Correctly Enrolled: SB17-034.

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

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

SB17-194 by Senator(s) Neville T.; also Representative(s) Pabon--Concerning an exception to the statutory deadlines for making income tax refunds for returns suspected of refund-related fraud.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Court, Gardner, Grantham, Holbert, Jahn, Kefalas, Kerr, Martinez Humenik, Moreno, Scott, and Tate.

SB17-179 by Senator(s) Gardner and Kerr; also Representative(s) Herod and Sias--Concerning the limitation on the amount of fees that can be assessed for allowing solar energy device installations, and, in connection therewith, extending the repeal date.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Fenberg, Fields, Garcia, Guzman, Jones, Kagan, Kefalas, Lundberg, Merrifield, Priola, Todd, and Williams A.

HB17-1078 by Representative(s) Landgraf; also Senator(s) Coram--Concerning the repeal of the Colorado family support loan program, and, in connection therewith, transferring funds from the Colorado family support loan program to the family support services program to provide services for families of persons with intellectual and developmental disabilities.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Court, Crowder, Grantham, Kefalas, Martinez Humenik, Tate, Todd, Williams A., and Zenzinger.

HB17-1131 by Representative(s) Kraft-Tharp and Saine, Winter, Nordberg; also Senator(s) Smallwood and Donovan, Neville T., Jahn--Concerning contracting by the Colorado student loan program for the administration of the college opportunity fund program.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Fields, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Scott, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB17-143 by Senator(s) Williams A., Court, Fenberg, Hill, Kagan, Kerr, Tate, Todd; also Representative(s) Nordberg and Garnett--Concerning the retail sale of alcohol beverages.

A majority of those elected to the Senate having voted in the affirmative, Senator Priola was given permission to offer a third reading amendment. Pursuant to Senate Rule 25 (k), the bill was laid over.

Laid over until Thursday, March 2, retaining its place on the calendar.

SB17-158 by Senator(s) Tate, Priola, Smallwood, Neville T.; also Representative(s) Nordberg--Concerning modifications to the composition of the board of trustees of the public employees' retirement association.

Laid over until Thursday, March 2, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-008 by Senator(s) Aguilar; also Representative(s) Lontine--Concerning the designation of a bridge that crosses South Raleigh Street in Denver on Colorado State Highway 285 as the "SSG Jordan L. Bear Memorial Bridge".

On motion of Senator Aguilar, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-190 by Senator(s) Crowder, Moreno; also Representative(s) Gray, Buckner, Ginal--Concerning prohibiting a carrier from setting fees for a dental service that is not paid for by the carrier.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 22, page 262 and placed in members' bill files.)

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

HB17-1052 by Representative(s) Beckman, Young; also Senator(s) Smallwood--Concerning factors to take into consideration in determining the child welfare allocation formula in a given fiscal year.

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

HB17-1014 by Representative(s) Rosenthal and Williams D.; also Senator(s) Hill and Donovan--Concerning the elimination of the criminal penalty imposed upon an elector for disclosing the contents of the elector's voted ballot.

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

SB17-004 by Senator(s) Tate; also Representative(s) Wist--Concerning access by medicaid recipients to nonenrolled medical providers.

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

HB17-1011 by Representative(s) Melton; also Senator(s) Tate--Concerning a limitation on when certain disciplinary actions may be commenced against a mental health professional, and, in connection therewith, requiring that a mental health professional provide notice to former clients regarding record retention and that all complaints be resolved by the agency within two years after the date the complaint was filed.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 24, page 281 and placed in members' bill files.)

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

HB17-1094 by Representative(s) Buck and Valdez; also Senator(s) Crowder and Donovan--Concerning modifications to the requirements for health benefit plans to cover health care services delivered via telehealth.

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

HB17-1041 by Representative(s) Covarrubias; also Senator(s) Priola--Concerning measures to inform students of education opportunities leading to jobs.

Amendment No. 1(L.002), by Senator Priola.

Amend reengrossed bill, page 2, line 14 after "GUARDIAN" insert "THE VARIOUS CAREER PATHWAYS CREATED PURSUANT TO SECTION 24-46.3-104 AND THE TYPES OF CERTIFICATES AND JOBS TO WHICH EACH PATHWAY LEADS AND DISCUSS".

Page 3, strike lines 1 through 3 and substitute "ENLISTMENT TEST. Each student's ICAP ~~shall~~".

Page 3, after line 21 insert:
"(B) THE VARIOUS CAREER PATHWAYS CREATED PURSUANT TO SECTION 24-46.3-104 AND THE TYPES OF CERTIFICATES AND JOBS TO WHICH EACH PATHWAY LEADS; AND".

Renumber succeeding sub-subparagraph accordingly.

Page 3, strike line 27 and substitute "THE MILITARY ENLISTMENT TEST."

Page 4, strike lines 1 and 2.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-190 as amended, SB17-004, HB17-1052, HB17-1014, HB17-1011 as amended, HB17-1094, HB17-1041 as amended.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-056 by Senator(s) Kerr, Tate, Moreno; also Representative(s) Arndt, Thurlow--Concerning the scheduled repeal of reports by the department of public health and environment to the general assembly.

Laid over until Thursday, March 2, retaining its place on the calendar.

TRIBUTES

Honoring:

Mr. Paul Angelico -- By Senator Nancy Todd.
José Beteta -- By Senator Steve Fenberg.
Gear Fisher -- By Senator Steve Fenberg.
Dirk Friel -- By Senator Steve Fenberg.
Raymond and Alice Fetty -- By Senator Leroy Garcia.
The New Hope Baptist Church Mass Choir -- By Senator Angela Williams.
Rose Olsen -- By President Kevin J. Grantham.
Emergency Medical Responders -- By Senator Leroy Garcia.
Peace Corps Volunteers of Colorado -- By Senator John Kefalas and Representative Jeni James Arndt.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, March 2, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

51st Legislative Day Thursday, March 2, 2017

Prayer — By the chaplain, Pastor David Almanzar, Cañon Community Baptist Church, Cañon City.

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

Roll Call — Present--31
Excused--4, Aguilar, Fields, Martinez Humenik, Todd.
Present later--4, Aguilar, Fields, Martinez Humenik, Todd.

Quorum — The President announced a quorum present.

Pledge — By Senator Williams.

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Wednesday, March 1, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Health & Human Services — After consideration on the merits, the Committee recommends that **HB17-1143** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services — After consideration on the merits, the Committee recommends that **HB17-1135** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-178** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1040** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1056** 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 **HB17-1154** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-040** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, after line 1 insert:

"**SECTION 1. Legislative declaration.** The general assembly

finds, determines, and declares that Colorado has a long and strong tradition of open and transparent government. For Colorado taxpayers to have confidence in the actions and activities of their government, it is imperative that they have access to the public records of these governments. The "Colorado Open Records Act" provides, with very specific exceptions, access to government records to members of the public. As technology now allows the public to access records in digital formats, it is important that Colorado law reflect the new technology to give the public access to records in digital formats that make it easier for them to see and understand government records. Senate Bill 17-040 sets parameters for information to be released in digital formats while ensuring that records custodians provide public records in ways that ensure that only those public records that are subject to disclosure are released. Senate Bill 17-040 makes no changes to what public records are available for, or protected from disclosure, regardless of the medium in which the public records are maintained, consistent with existing law. Current law governing which public records are confidential and not subject to disclosure and those that must be released remains unchanged.".

Renumber succeeding sections accordingly.

Page 3, line 3, strike "(7);" and substitute "(6)(a)(I) and (7);".

Page 3, after line 8 insert:

"(6) (a) (I) "Public records" means and includes all writings made, maintained, or kept by the state, any agency, institution, a nonprofit corporation incorporated pursuant to section 23-5-121 (2), ~~C.R.S.,~~ or political subdivision of the state, or that are described in section 29-1-902 ~~C.R.S.,~~ and held by any local-government-financed entity for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds. FOR PURPOSES OF THIS PART 2, THE TERMS "STATE" AND "AGENCY" INCLUDE THE JUDICIAL DEPARTMENT OF STATE GOVERNMENT.".

Page 3, line 9, strike "SEARCHED" and substitute "READ".

Page 4, after line 8 insert:

"**SECTION 3.** In Colorado Revised Statutes, 24-72-203, **add** (2)(c) as follows:

24-72-203. Public records open to inspection. (2) (c) IF THE CUSTODIAN HAS MADE THE REQUESTED RECORDS PUBLICLY AVAILABLE IN A STRUCTURED DATA FORMAT, THE CUSTODIAN MAY SATISFY THE REQUEST BY REDIRECTING THE REQUESTER, IN WRITING AND IN DETAIL, TO THE LOCATION OF THE RECORDS.".

Renumber succeeding sections accordingly.

Page 4, line 27, strike "A" and substitute "AN ACCURATE".

Page 5, line 7, after "COPYRIGHT" insert "OR LICENSING".

Page 5, line 17, after "RECORDS" insert "THAT ARE SUBJECT TO DISCLOSURE".

Page 5, line 19, after "FORMAT" insert "OR ISSUE A DENIAL UNDER SECTION 24-72-204".

Page 5, strike lines 23 through 26 and substitute "DATA IN THE REQUESTED FORMAT, ATTORNEY FEES MAY BE AWARDED ONLY IF THE".

Page 6, line 2, strike "FORMAT." and substitute "FORMAT OR TO RELEASE METADATA.".

Page 6, strike lines 3 through 9 and substitute:

"(4) WHEN A CUSTODIAN PRODUCES RECORDS IN A SEARCHABLE OR STRUCTURED FORMAT IN ACCORDANCE WITH SUBSECTION (1)(a) OF THIS SECTION, THE CHOICE OF FORMAT IS IN THE SOLE DISCRETION OF THE CUSTODIAN.

(5) FOR PURPOSES OF THIS SECTION, "ACCURATE COPY" MEANS A RECORD THAT IS A TRUE AND CORRECT REPRESENTATION OF THE ORIGINAL DATA AT THE TIME THE COPY IS GENERATED.

(6) NOTHING IN THIS SECTION RELIEVES OR MITIGATES THE OBLIGATIONS OF A CUSTODIAN TO PRODUCE RECORDS IN A FORMAT ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES IN ACCORDANCE WITH TITLE II OF THE FEDERAL "AMERICANS WITH DISABILITIES ACT", 42 U.S.C. SEC. 12131 ET. SEQ., AND OTHER FEDERAL OR STATE LAWS.

SECTION 5. In Colorado Revised Statutes, 24-72-204, **amend** (5); and **add** (2)(a)(X), (2)(a)(XI), and (9) as follows:

24-72-204. Allowance or denial of inspection - grounds - procedure - appeal - definitions. (2) (a) The custodian may deny the right of inspection of the following records, unless otherwise provided by law, on the ground that disclosure to the applicant would be contrary to the public interest:

(X) SOFTWARE PROGRAMS; NETWORK AND SYSTEMS ARCHITECTURAL DESIGNS; SOURCE CODE; SOURCE DOCUMENTATION; INFORMATION IN TANGIBLE OR INTANGIBLE FORM RELATING TO RELEASED AND UNRELEASED SOFTWARE OR HARDWARE, DATABASE DESIGN STRUCTURES, DATABASE SCHEMA AND ARCHITECTURE, SECURITY STRUCTURES AND ARCHITECTURE, AND DATA STORED IN SUPPORT STRUCTURES; AGENCY ORIGINAL DESIGN IDEAS; NONPUBLIC BUSINESS POLICIES AND PRACTICES RELATING TO SOFTWARE DEVELOPMENT AND USE; AND THE TERMS AND CONDITIONS OF ANY ACTUAL OR PROPOSED LICENSE AGREEMENT OR OTHER AGREEMENT CONCERNING THE PRODUCTS AND LICENSING NEGOTIATIONS.

(XI) ANY RECORDS THE INSPECTION OF WHICH IS REASONABLY LIKELY TO COMPROMISE THE SAFETY OR SECURITY OF ANY NATURAL PERSON.

(5) Except as provided in subsection".

Page 7, line 11, after "EXISTING" insert "PUBLIC".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-184** 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 12 and 13.

Renumber succeeding subparagraphs accordingly.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-187** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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

"**SECTION 1.** In Colorado Revised Statutes, 12-43.3-104, **amend** the introductory portion; and **add** (6.5) as follows:

12-43.3-104. Definitions. As used in this ~~article~~ ARTICLE 43.3, unless the context otherwise requires:

(6.5) "MARIJUANA-BASED WORKFORCE DEVELOPMENT OR EDUCATION PROGRAM" MEANS AN EDUCATIONAL PROGRAM DESIGNED TO TRAIN INDIVIDUALS TO WORK IN THE LEGAL MEDICAL MARIJUANA INDUSTRY.".

Renumber succeeding sections accordingly.

Page 2, line 13, strike "THE" and substitute "UPON RECEIPT OF AN AFFIRMATION UNDER PENALTY OF PERJURY THAT THE APPLICANT IS ENROLLED IN A MARIJUANA-BASED WORKFORCE DEVELOPMENT OR EDUCATION PROGRAM IN COLORADO THAT WILL REQUIRE ACCESS OR

EMPLOYMENT WITHIN A PREMISES LICENSED PURSUANT TO THIS ARTICLE 43.3 OR ARTICLE 43.4 OF THIS TITLE 12, THE".

Page 2, after line 22 insert:

"**SECTION 3.** In Colorado Revised Statutes, 12-43.4-103, **amend** the introductory portion; and **add** (9.5) as follows:

12-43.4-103. Definitions. As used in this ~~article~~ ARTICLE 43.4, unless the context otherwise requires:

(9.5) "MARIJUANA-BASED WORKFORCE DEVELOPMENT OR EDUCATION PROGRAM" MEANS AN EDUCATIONAL PROGRAM DESIGNED TO TRAIN INDIVIDUALS TO WORK IN THE LICENSED RETAIL MARIJUANA INDUSTRY.".

Renumber succeeding sections accordingly.

Page 3, line 10, strike "THE" and substitute "UPON RECEIPT OF AN AFFIRMATION UNDER PENALTY OF PERJURY THAT THE APPLICANT IS ENROLLED IN A MARIJUANA-BASED WORKFORCE DEVELOPMENT OR EDUCATION PROGRAM IN COLORADO THAT WILL REQUIRE ACCESS OR EMPLOYMENT WITHIN A PREMISES LICENSED PURSUANT TO THIS ARTICLE 43.4 OR ARTICLE 43.3 OF THIS TITLE 12, THE".

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-063** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB17-1034** 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 Engrossed: SB17-004 and 190; SJR17-008.
Correctly Reengrossed: SB17-179 and 194.
Correctly Revised: HB17-1011, 1014, 1041, 1052, and, 1094.
Correctly Rerevised: HB17-1078 and 1131.
Correctly Enrolled: SB17-026.

MESSAGE FROM THE HOUSE

March 1, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1180, 1130, 1145.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1012, amended as printed in House Journal, February 28, 2017.
HB17-1103, amended as printed in House Journal, February 28, 2017.
HB17-1120, amended as printed in House Journal, February 28, 2017.
HB17-1179, amended as printed in House Journal, February 28, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB17-1027, amended as printed in House Journal, February 28, 2017, and amended on Third Reading as printed in House Journal, March 1, 2017.

The House has passed on Third Reading and returns herewith SB17-026.

The House has adopted and returns herewith SJR17-008.

MESSAGE FROM THE REVISOR OF STATUTES

March 1, 2017

We herewith transmit:

Without comment, HB17-1130, 1145, and 1180.
Without comment, as amended, HB17-1012, 1027, 1103, 1120, and 1179.

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

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:

SB17-143 by Senator(s) Williams A., Court, Fenberg, Hill, Kagan, Kerr, Tate, Todd; also Representative(s) Nordberg and Garnett--Concerning the retail sale of alcohol beverages.

Laid over until Monday, March 6, retaining its place on the calendar.

SB17-158 by Senator(s) Tate, Priola, Smallwood, Neville T.; also Representative(s) Nordberg--Concerning modifications to the composition of the board of trustees of the public employees' retirement association.

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, and Sonnenberg.

SB17-190 by Senator(s) Crowder and Moreno; also Representative(s) Gray, Buckner, Ginal--Concerning prohibiting a carrier from setting fees for a dental service that is not paid for by the carrier.

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

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Fields, Hill, Jones, Kagan, Kefalas, Merrifield, Todd, and Zenzinger.

RECONSIDERATION OF SB17-190

SB17-190 by Senator(s) Crowder and Moreno; also Representative(s) Gray, Buckner, Ginal--Concerning prohibiting a carrier from setting fees for a dental service that is not paid for by the carrier.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on **SB17-190**.

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

SB17-190 by Senator(s) Crowder and Moreno; also Representative(s) Gray, Buckner, Ginal--Concerning prohibiting a carrier from setting fees for a dental service that is not paid for by the carrier.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Williams A.

HB17-1052 by Representative(s) Beckman, Young; also Senator(s) Smallwood--Concerning factors to take into consideration in determining the child welfare allocation formula in a given fiscal year.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Fields, Grantham, Kefalas, Merrifield, and Todd.

HB17-1014 by Representative(s) Rosenthal and Williams D.; also Senator(s) Hill and Donovan--Concerning the elimination of the criminal penalty imposed upon an elector for disclosing the contents of the elector's voted ballot.

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

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

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

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Garcia, Gardner, Grantham, Guzman, Moreno, Neville T., and Sonnenberg.

SB17-004 by Senator(s) Tate; also Representative(s) Wist--Concerning access by medicaid recipients to nonenrolled medical providers.

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Hill, Lambert, Lundberg, Marble, Neville T., Scott, Smallwood, and Sonnenberg.

HB17-1011 by Representative(s) Melton; also Senator(s) Tate--Concerning a limitation on when certain disciplinary actions may be commenced against a mental health professional, and, in connection therewith, requiring that a mental health professional provide notice to former clients regarding record retention and that all complaints be resolved by the agency within two years after the date the complaint was filed.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Fields, Grantham, Kefalas, Lambert, Martinez Humenik, Merrifield, Scott, Smallwood, Todd, and Williams A.

HB17-1094 by Representative(s) Buck and Valdez; also Senator(s) Crowder and Donovan--Concerning modifications to the requirements for health benefit plans to cover health care services delivered via telehealth.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Fields, Garcia, Gardner, Grantham, Jahn, Jones, Kefalas, Kerr, Merrifield, Moreno, Tate, Todd, and Zenzinger.

HB17-1041 by Representative(s) Covarrubias; also Senator(s) Priola--Concerning measures to inform students of education opportunities leading to jobs.

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Crowder, Donovan, Fenberg, Fields, Hill, Jones, Kerr, Martinez Humenik, Todd, Williams A., and Zenzinger.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-014 by Senator(s) Aguilar and Gardner; also Representative(s) Lontine and Sias--Concerning the designation of March 2, 2017, as "Colorado Arc Day".

On motion of Senator Aguilar, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

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

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Neville was called to act as Chair.

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

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

HB17-1006 by Representative(s) Foote; also Senator(s) Kagan--Concerning the authorization of a process to correct statutory citations contained in executive branch agency rules published in the code of Colorado regulations without the requirement to follow rule-making procedures.

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

HB17-1032 by Representative(s) Arndt; also Senator(s) Cooke--Concerning the evidentiary privilege for communications made during the provision of certain peer support services.

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

HB17-1050 by Representative(s) McKean; also Senator(s) Kagan--Concerning the annual in-service training required for a county sheriff.

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

SB17-177 by Senator(s) Cooke; also Representative(s) Rosenthal--Concerning amending the definition of "special respondent" in the children's code to allow a person to be voluntarily joined in a dependency or neglect proceeding.

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

HB17-1092 by Representative(s) Lebsock; also Senator(s) Tate--Concerning contracts involving license royalties with proprietors of retail establishments that publicly perform music.

Removed from the General Orders--Second Reading of Bills Consent Calendar of Thursday, March 2, 2017, and placed at the end of the General Orders--Second Reading of Bills Calendar of Thursday, March 2, 2017.

HB17-1054 by Representative(s) Carver and Nordberg; also Senator(s) Todd--Concerning partnerships between local governments and military installations, and, in connection therewith, identifying shared-service opportunities to reduce costs and increase efficiencies.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Neville, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-177, HB17-1006, HB17-1032, HB17-1050, HB17-1054. Removed from the General Orders--Second Reading of Bills--Consent Calendar and placed at the end of the General Orders--Second Reading of bills Calendar for, Thursday, March 2: HB17-1092.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-027 by Senator(s) Court; also Representative(s) Melton--Concerning an increase in the penalty for text messaging while operating a motor vehicle.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, February 9, page(s) 163-164 and placed in members' bill files.)

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

SB17-152 by Senator(s) Court; --Concerning the implementation of voter-approved changes to the Colorado constitution that make it more difficult to amend the state constitution, and, in connection therewith, prohibiting a petition for an initiated amendment to the state constitution from being submitted to voters unless the petition is signed by the constitutionally required number of registered electors who reside in each state senate district and total number of registered electors, and requiring at least fifty-five percent of the votes cast on any amendment to the state constitution to adopt the amendment unless the amendment only repeals in whole or in part a provision of the state constitution, in which case requiring a majority of the votes cast on the amendment to adopt the amendment.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, February 16, page 229 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment. (Printed in Senate Journal, February 28, page(s) 305-306 and placed in members' bill files.)

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

SB17-088 by Senator(s) Holbert and Williams A., Kefalas, Priola, Tate; also Representative(s) Hooton and Van Winkle, Landgraf, Rankin, Buckner, Liston, McKean, Melton, Nordberg--Concerning the criteria used by a health insurer to select health care providers to participate in the insurer's network of providers.

Laid over until Friday, March 10, retaining its place on the calendar.

SB17-061 by Senator(s) Hill and Williams A.; also Representative(s) Sias--Concerning distribution of additional operational funding to charter schools.

Laid over until Monday, March 6, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (SB17-156, HB17-1092) of Thursday, March 2, was laid over until Friday, March 3, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Neville, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-027 as amended, SB17-152 as amended.
Laid over until Friday, March 3: SB17-156, HB17-1092.
Laid over until Monday, March 6: SB17-061.
Laid over until Friday, March 10: SB17-088.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-056 by Senator(s) Kerr, Tate, Moreno; also Representative(s) Arndt, Thurlow--Concerning the scheduled repeal of reports by the department of public health and environment to the general assembly.

Senator Kerr moved that the Senate concur in House amendments to **SB17-056**, as printed in House journal, February 22, page 309. The motion was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

MESSAGE FROM THE HOUSE

March 2, 2017

Mr. President:

The House has postponed indefinitely SB17-113. The bill is returned herewith.

MESSAGE FROM THE GOVERNOR

March 1, 2017

Senate
71st General Assembly
State Capitol
Denver, Colorado 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB17-018: CONCERNING A CORRECTION TO AN AMENDING CLAUSE IN SENATE BILL 16-146 RELATED TO THE REPEAL OF PART 14 OF ARTICLE 4 OF TITLE 25.

Approved March 1, 2017 at 12:34pm

SB17-044: CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE DEPARTMENT OF REGULATORY AGENCIES TO THE GENERAL ASSEMBLY.

Approved March 1, 2017 at 12:44pm

SB 17-052: CONCERNING RECOMMENDATIONS RELATED TO TITLE 22 FROM THE DEPARTMENT OF EDUCATION TO THE STATUTORY REVISION.

Approved March 1, 2017 at 12:45pm

SB17-159: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS.

Approved March 1, 2017 at 12:49pm

SB17-160: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF EDUCATION.

Approved March 1, 2017 at 12:49pm

SB17-161: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE OFFICES OF THE GOVERNOR, LIEUTENANT GOVERNOR, AND STATE PLANNING AND BUDGETING.

Approved March 1, 2017 at 12:50pm

SB17-162: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.

Approved March 1, 2017 at 12:50pm

SB17-163: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES.

Approved March 1, 2017 at 12:50pm

SB17-164: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE JUDICIAL DEPARTMENT.

Approved March 1, 2017 at 12:51pm

SB17-166: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS.

Approved March 1, 2017 at 12:51pm

SB17-167: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF PERSONNEL.

Approved March 1, 2017 at 12:51pm

SB17-168: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY.

Approved March 1, 2017 at 12:52pm

SB17-169: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF REVENUE.

Approved March 1, 2017 at 12:52pm

SB17-170: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF STATE.

Approved March 1, 2017 at 12:52pm

SB17-171: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION

Approved March 1, 2017 at 12:52pm

SB17-172: CONCERNING FUNDING FOR CAPITAL CONSTRUCTION, AND MAKING SUPPLEMENTAL APPROPRIATIONS IN CONNECTION THEREWITH.

Approved March 1, 2017 at 12:53pm

SB17-173: CONCERNING ADJUSTMENTS IN THE AMOUNT OF TOTAL PROGRAM FUNDING FOR PUBLIC SCHOOLS FOR THE 2016-2017 BUDGET YEAR, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved March 1, 2017 at 12:53pm

SB17-174: CONCERNING THE ALLOCATION OF MONEY BY THE COLORADO COMMISSION ON HIGHER EDUCATION FOR TUITION ASSISTANCE FOR MEMBERS OF THE NATIONAL GUARD.

Approved March 1, 2017 at 12:53pm

SB17-175: CONCERNING THE TRANSFER OF MONEY BETWEEN STATE SELF-INSURANCE FUNDS AT THE REQUEST OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL.

Approved March 1, 2017 at 12:54pm

SB17-176: CONCERNING AUTHORIZATION TO USE MONEY IN THE COLORADO STATE TITLING AND REGISTRATION ACCOUNT TO ISSUE DEVICES THAT CONFIRM THAT A PERSON HAS REGISTERED A MOTOR VEHICLE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved March 1, 2017 at 12:54pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-013, 020, and 058; SJR17-008; HB17-1017, 1019, 1020, 1030, 1047, and 1058.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, March 3, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

52nd Legislative Day Friday, March 3, 2017

Prayer — By the chaplain, Rabbi Avraham Mintz, Chabad Jewish Center of South Metro Denver, Lone Tree.

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

Roll Call — Present--34
Excused--1, Todd.
Present later--1, Todd.

Quorum — The President announced a quorum present.

Pledge — By Senator Williams.

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Thursday, March 2, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

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

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Finance — After consideration on the merits, the Committee recommends that **HB17-1096** 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 **SB17-186** be referred to the Committee on Appropriations with favorable recommendation.

Education — The Committee on Education 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:

EXECUTIVE DIRECTOR OF THE
COLORADO DEPARTMENT OF HIGHER EDUCATION
AND THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION

effective February 15, 2017 for a term expiring at the pleasure of the Governor:

Kim Hunter Reed, PhD of Denver, Colorado, appointed.

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

effective December 31, 2016 for terms expiring December 31, 2020:

Bror Douglas Quimby of Colorado Springs, Colorado, a Republican, reappointed;

Tilman ”Tillie” Bishop of Grand Junction, Colorado, a Republican, reappointed;

J. David Reed of Montrose, Colorado, a Republican, appointed.

Education

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

effective December 31, 2016 for terms expiring December 31, 2020:

Ernest Domingo House, Jr. of Aurora, Colorado, to serve as an Unaffiliated, reappointed;

Richard C. Kaufman of Centennial, Colorado, to serve as a Democrat, appointed.

Education

After consideration on the merits, the Committee recommends that **HB17-1140** 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 Engrossed: SB17-027, 152, and 177; SJR17-014.
Correctly Reengrossed: SB17-004, 158, and 190.
Correctly Revised: HB17-006, 1032, 1050, 1054, and 1092.
Correctly Rerevised: HB17-1011, 1014, 1041, and 1052.
Correctly Enrolled: SB17-056; SJR17-008.

Upon request of Majority Leader Holbert, **SB17-189** was removed from the General Orders--Second Reading of Bills Consent Calendar of Friday, March 3, 2017 and was placed at the end of the General Orders--Second Reading of Bills Calendar of Friday, March 3, 2017.

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

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

HB17-1006 by Representative(s) Foote; also Senator(s) Kagan--Concerning the authorization of a process to correct statutory citations contained in executive branch agency rules published in the code of Colorado regulations without the requirement to follow rule-making procedures.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

HB17-1032 by Representative(s) Arndt; also Senator(s) Cooke--Concerning the evidentiary privilege for communications made during the provision of certain peer support services.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder.

HB17-1050 by Representative(s) McKean; also Senator(s) Kagan--Concerning the annual in-service training required for a county sheriff.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Martinez Humenik, and Smallwood.

SB17-177 by Senator(s) Cooke; also Representative(s) Rosenthal--Concerning amending the definition of "special respondent" in the children's code to allow a person to be voluntarily joined in a dependency or neglect proceeding.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Crowder, Fields, Jahn, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Neville T., Todd, and Williams A.

HB17-1054 by Representative(s) Carver and Nordberg; also Senator(s) Todd--Concerning partnerships between local governments and military installations, and, in connection therewith, identifying shared-service opportunities to reduce costs and increase efficiencies.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Crowder, Gardner, Grantham, Jones, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Neville T., Scott, Sonnenberg, and Zenzinger.

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:

SB17-027 by Senator(s) Court; also Representative(s) Melton--Concerning an increase in the penalty for text messaging while operating a motor vehicle.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Cooke, Coram, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Hill, Holbert, Jahn, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Tate, Todd, and Williams A.

SB17-152 by Senator(s) Court; also Representative(s) Lontine--Concerning the implementation of voter-approved changes to the Colorado constitution that make it more difficult to amend the state constitution, and, in connection therewith, prohibiting a petition for an initiated amendment to the state constitution from being submitted to voters unless the petition is signed by the constitutionally required number of registered electors who reside in each state senate district and total number of registered electors, requiring at least fifty-five percent of the votes cast on any amendment to the state constitution to adopt the amendment unless the amendment only repeals in whole or in part a provision of the state constitution, in which case requiring a majority of the votes cast on the amendment to adopt the amendment, and making an appropriation.

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

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Kerr.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Neville was called to act as Chair.

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

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

HB17-1137 by Representative(s) Thurlow and Hooton, Arndt, Nordberg; also Senator(s) Tate and Moreno, Kerr, Martinez Humenik--Concerning the scheduled repeal of reports by the department of revenue to the general assembly.

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

HB17-1093 by Representative(s) Ransom; also Senator(s) Kagan--Concerning an increase in the exemption for the cash surrender value of life insurance.

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

HB17-1061 by Representative(s) Becker J. and Melton, Buck, Carver, Esgar, Kraft-Tharp, Mitsch Bush, Neville P., Nordberg, Winter; also Senator(s) Scott and Todd, Baumgardner, Cooke, Coram, Moreno--Concerning modification of the class of vehicles that is subject to regulation as commercial vehicles.

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

HB17-1105 by Representative(s) Becker J., Buck, Carver; also Senator(s) Baumgardner--Concerning narrowing the circumstances in which physical inspection of a vehicle is required before issuing legal documentation identifying the vehicle.

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

HB17-1044 by Representative(s) Mitsch Bush; also Senator(s) Todd--Concerning autocycles, and, in connection therewith, clarifying that an autocycle is a type of motorcycle and requiring autocycle drivers and passengers to use safety belts and, if applicable, child safety restraints.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, March 1, page(s) 319-320 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 -- CONSENT CALENDAR

On motion of Senator Neville, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1137, HB17-1093, HB17-1061, HB17-1105, HB17-1044 as amended.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-130 by Senator(s) Priola; also Representative(s) Covarrubias and Lawrence--Concerning alignment of the number of hours of practical experience required to register as a sprinkler fitter with the number of hours of practical experience required to become licensed as a journeyman plumber.

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

SB17-156 by Senator(s) Hill; also Representative(s) Wist and Saine--Concerning prerequisites to the authority of a unit owners' association to pursue resolution of disputes involving construction defects.

Laid over until Monday, March 6, retaining its place on the calendar.

HB17-1092 by Representative(s) Lebsock; also Senator(s) Tate--Concerning contracts involving license royalties with proprietors of retail establishments that publicly perform music.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, February 28, page 311 and placed in members' bill files.)

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

SB17-189 by Senator(s) Cooke; also Representative(s) Foote--Concerning elimination of the requirement that a law enforcement agency is the only entity authorized to take fingerprints for purposes of a background check.

Laid over until Monday, March 6, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Neville, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-130, HB17-1092 as amended.
Laid over until Monday, March 6: SB17-156, SB17-189.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB17-1135, HB17-1040, HB17-1056, SB17-187, and HB17-1034 were made Special Orders -- Consent Calendar at 10:28 a.m.

Committee of the Whole

The hour of 10:28 a.m. having arrived, Senator Neville 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 Neville 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:

HB17-1135 by Representative(s) Bridges; also Senator(s) Priola--Concerning the portability of employment background checks for a child care worker who works for the same common ownership entity.

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

HB17-1040 by Representative(s) Lundeen and Foote; also Senator(s) Priola and Jahn, Cooke--Concerning authorizing the interception of communication relating to a crime of human trafficking.

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

HB17-1056 by Representative(s) Weissman; also Senator(s) Kefalas and Gardner--Concerning the eligibility of a veterans' service organization to accept public service assignments offered in connection with misdemeanor sentencing.

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

SB17-187 by Senator(s) Crowder; also Representative(s) Ginal--Concerning the authority for an exemption to the residency requirement for education-related marijuana occupational licenses.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 2, page(s) 329-330 and placed in members' bill files.)

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

HB17-1034 by Representative(s) Pabon; also Senator(s) Baumgardner--Concerning licensing changes to the medical marijuana code to conform with the retail marijuana code.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Neville, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-187 as amended, HB17-1135, HB17-1040, HB17-1056, HB17-1034.

MESSAGE FROM THE HOUSE

March 3, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1111, amended as printed in House Journal, March 2, 2017.
HB17-1160, amended as printed in House Journal, March 2, 2017.

The House has passed on Third Reading and returns herewith SB17-030, 050, 090.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB17-015, amended as printed in House Journal, March 2, 2017.
SB17-046, amended as printed in House Journal, March 2, 2017.

The House has postponed indefinitely SB17-001. The bill is returned herewith.

The House has adopted and returns herewith SJR17-014.

Senate in recess. Senate reconvened.

MESSAGE FROM THE REVISOR OF STATUTES

March 3, 2017

We herewith transmit:

Without comment, as amended, HB17-1111 and 1160.
Without comment, as amended, SB17-015 and 046.

INTRODUCTION OF BILLS -- FIRST READING

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

SB17-206 by Senator(s) Gardner; also Representative(s) Singer--Concerning health care services provided by an out-of-network provider that are covered benefits under a covered person's health benefit plan, and, in connection therewith, specifying the method for determining the amount a carrier must pay the out-of-network provider for providing health care services covered under the health benefit plan; requiring health care facilities, out-of-network providers, and carriers to disclose specified information to a covered person regarding services provided at an in-network facility by an out-of-network provider; and establishing an independent dispute resolution process for resolving payment disputes between out-of-network providers and carriers.
Business, Labor, & Technology

SB17-207 by Senator(s) Kagan and Cooke, Jahn; also Representative(s) Salazar and Sias, Kraft-Tharp, Landgraf--Concerning strengthening Colorado's statewide response to behavioral health crises, and, in connection therewith, making an appropriation.
Judiciary

SB17-208 by Senator(s) Priola; --Concerning sales and use tax treatment of equipment used in construction materials mining operations.
Finance

SB17-209 by Senator(s) Priola; also Representative(s) Weissman--Concerning access to the ballot by candidates.
State, Veterans, & Military Affairs

SB17-210 by Senator(s) Scott; --Concerning a duty to reimburse motor vehicle dealers when issuing a stop-sale directive due to a safety defect affecting a used motor vehicle.
Transportation

SB17-211 by Senator(s) Scott; --Concerning a requirement that a state agency accept the full amount of a bid security bond issued by a surety company to a prospective contractor for a public project.
Transportation

HB17-1012 by Representative(s) Esgar; also Senator(s) Garcia--Concerning the creation of a Pueblo chile license plate.
Finance

HB17-1103 by Representative(s) Nordberg and Pabon, Williams D.; also Senator(s) Gardner and Moreno--Concerning a state sales and use tax exemption for historic aircraft on loan for public display.
Finance

HB17-1111 by Representative(s) Beckman; also Senator(s) Fields--Concerning allowing juvenile courts to enter civil protection orders in dependency and neglect cases.
Judiciary

HB17-1120 by Representative(s) Willett, Arndt; also Senator(s) Coram--Concerning the designation of a campus liquor complex on the campus of an institution of higher education that is licensed to serve alcohol beverages for consumption on the licensed premises to allow the institution to obtain permits to serve alcohol beverages at other facilities within its campus liquor complex, and, in connection therewith, making an appropriation.
Business, Labor, & Technology

HB17-1130 by Representative(s) Arndt; also Senator(s) Kagan--Concerning allowing reimbursement for expenses for members of the restorative justice coordinating council.
Finance

HB17-1145 by Representative(s) Herod, Liston, Nordberg, Pabon, Willett; also Senator(s) Gardner--Concerning authorization for amateur winemakers to enter wines in organized events.
Business, Labor, & Technology

HB17-1160 by Representative(s) Hamner and Wilson; also Senator(s) Priola and Fields--Concerning authorizing a local education provider to determine the language in which a student who is an English language learner takes reading assessments in kindergarten through third grade.
Education

HB17-1179 by Representative(s) Saine and Ginal, Buckner, Herod, Hooton, Kennedy, Lontine, McLachlan, Melton, Michaelson Jenet, Mitsch Bush, Neville P., Nordberg, Pabon, Pettersen, Rankin, Singer, Williams D., Winter, Wist, Young, Lundeen, Carver, Lawrence, Beckman, Buck, Covarrubias, McKean, Navarro, Salazar, Sias, Thurlow, Van Winkle; also Senator(s) Marble and Court, Guzman, Neville T.--Concerning immunity for a person who renders emergency assistance from a locked vehicle.
Business, Labor, & Technology

HB17-1180 by Representative(s) Winter and Lawrence; also Senator(s) Neville T. and Kerr--Concerning requirements for the tuition assistance program for students enrolled in career and technical education certificate programs.
Education

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB17-1016, 1025, 1067, 1074, 1078, 1128, 1131.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, March 6, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

55th Legislative Day — Monday, March 6, 2017

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Zenzinger.

Reading of the Journal — On motion of Senator Kagan, reading of the Journal of Friday, March 3, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB17-206, 207, 208, 209, 210, and 211.
Correctly Engrossed: SB17-130 and 187.
Correctly Reengrossed: SB17-027, 152, and 177.
Correctly Revised: HB17-1034, 1040, 1044, 1056, 1061, 1092, 1093, 1105, 1135, and 1137.
Correctly Rerevised: HB17-1006, 1032, 1050, and 1054.
Correctly Enrolled: SB17-030, 050, and 090.

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

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

HB17-1137 by Representative(s) Thurlow and Hooton, Arndt, Nordberg; also Senator(s) Tate and Moreno, Kerr, Martinez Humenik--Concerning the scheduled repeal of reports by the department of revenue to the general assembly.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

HB17-1093 by Representative(s) Ransom; also Senator(s) Kagan--Concerning an increase in the exemption for the cash surrender value of life insurance.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Grantham, Holbert, Marble, Neville T., Scott, and Smallwood.

HB17-1061 by Representative(s) Becker J. and Melton, Buck, Carver, Esgar, Kraft-Tharp, Mitsch Bush, Neville P., Nordberg, Winter; also Senator(s) Scott and Todd, Baumgardner, Cooke, Coram, Moreno--Concerning modification of the class of vehicles that is subject to regulation as commercial vehicles.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Grantham, Neville T., and Sonnenberg.

HB17-1105 by Representative(s) Becker J., Buck, Carver; also Senator(s) Baumgardner--Concerning narrowing the circumstances in which physical inspection of a vehicle is required before issuing legal documentation identifying the vehicle.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Coram, Crowder, Grantham, Holbert, Jahn, Marble, Moreno, Neville T., Scott, Sonnenberg, Tate, and Todd.

HB17-1044 by Representative(s) Mitsch Bush; also Senator(s) Todd--Concerning autocycles, and, in connection therewith, clarifying that an autocycle is a type of motorcycle and requiring autocycle drivers and passengers to use safety belts and, if applicable, child safety restraints.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Gardner, Scott, and Zenzinger.

HB17-1135 by Representative(s) Bridges; also Senator(s) Priola--Concerning the portability of employment background checks for a child care worker who works for the same common ownership entity.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Crowder, Fields, Gardner, Jones, Kefalas, Martinez Humenik, Merrifield, Moreno, Scott, Tate, Todd, Williams A., and Zenzinger.

HB17-1040 by Representative(s) Lundeen and Foote; also Senator(s) Priola and Jahn, Cooke--Concerning authorizing the interception of communication relating to a crime of human trafficking.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Crowder, Fenberg, Gardner, Grantham, Jones, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Tate, Todd, and Williams A.

HB17-1056 by Representative(s) Weissman; also Senator(s) Kefalas and Gardner--Concerning the eligibility of a veterans' service organization to accept public service assignments offered in connection with misdemeanor sentencing.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Fields, Jahn, Kerr, Lambert, Martinez Humenik, Merrifield, Tate, and Todd.

SB17-187 by Senator(s) Crowder; also Representative(s) Ginal--Concerning the authority for an exemption to the residency requirement for education-related marijuana occupational licenses.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Coram.

HB17-1034 by Representative(s) Pabon; also Senator(s) Baumgardner--Concerning licensing changes to the medical marijuana code to conform with the retail marijuana code.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder and Moreno.

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:

SB17-143 by Senator(s) Williams A., Court, Fenberg, Hill, Kagan, Kerr, Tate, Todd; also Representative(s) Nordberg and Garnett--Concerning the retail sale of alcohol beverages.

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

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	N	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	N	Neville T.	Y	President	N
Fields	Y	Kefalas	Y	Priola	N		

Less than a majority of all members elected to the Senate having voted in the affirmative, the bill was **lost**.

SB17-130 by Senator(s) Priola; also Representative(s) Covarrubias and Lawrence--Concerning alignment of the number of hours of practical experience required to register as a sprinkler fitter with the number of hours of practical experience required to become licensed as a journeyman plumber.

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Holbert, Lambert, Lundberg, Marble, Neville T., Scott, Smallwood, and Sonnenberg.

HB17-1092 by Representative(s) Lebsock; also Senator(s) Tate--Concerning contracts involving license royalties with proprietors of retail establishments that publicly perform music.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Garcia, Hill, Holbert, Kagan, Kerr, Martinez Humenik, Merrifield, Neville T., Priola, and Scott.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-156 by Senator(s) Hill; also Representative(s) Wist and Saine--Concerning prerequisites to the authority of a unit owners' association to pursue resolution of disputes involving construction defects.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 28, page 311 and placed in members' bill files.)

Amendment No. 2(L.017), by Senator Hill.

Strike the Business, Labor, and Technology Committee Report, dated February 27, 2017, and substitute:

"Amend printed bill, page 11, strike line 27.

Page 12, strike lines 1 through 4 and substitute:

"**SECTION 6. Effective date - applicability.** (1) Except as otherwise provided in subsections (2) and (3) of this section, this act takes effect upon passage.

(2) Sections 1 and 3 of this act take effect July 1, 2017.

(3) Section 5 of this act takes effect January 1, 2018, and applies to contracts executed on or after that date.".".

Amendment No. 3(L.012), by Senator Hill.

Amend printed bill, page 7, line 16, after "(b)" insert "(I)".

Page 7, line 20, strike "(I)" and substitute "~~(I)~~ (A)".

Page 7, line 22, strike "(II)" and substitute "~~(II)~~ (B)".

Page 9, after line 20 insert:

"(II) THIS SUBSECTION (2)(b) DOES NOT IN ANY WAY CONVERT A NONCOMMON INTEREST COMMUNITY INTO A COMMON INTEREST COMMUNITY AND SHALL NOT BE CONSTRUED TO DO SO.".

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

SB17-189 by Senator(s) Cooke; also Representative(s) Foote--Concerning elimination of the requirement that a law enforcement agency is the only entity authorized to take fingerprints for purposes of a background check.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 1, page 319 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Kagan.

Amend printed bill, page 2, line 12 after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 3, line 7, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 3, line 26, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 4, line 17, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 5, line 11, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 6, line 12, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 8, line 15, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 9, line 14, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 9, line 25, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 10, line 21, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 11, line 6, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 12, line 2, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 12, line 21, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 13, line 13, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 14, line 13, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

Page 15, line 19, after "EQUIPMENT." insert "THIRD-PARTY VENDORS SHALL NOT KEEP THE APPLICANT INFORMATION FOR MORE THAN THIRTY DAYS UNLESS REQUESTED TO DO SO BY THE APPLICANT.".

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

HB17-1143 by Representative(s) Landgraf; also Senator(s) Crowder--Concerning audits of correspondence sent to medicaid clients.

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

SB17-178 by Senator(s) Marble; also Representative(s) Melton--Concerning prohibiting a court from requiring a medical-marijuana patient to abstain from the use of marijuana as a condition of bond.

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

SB17-184 by Senator(s) Gardner; also Representative(s) Pabon--Concerning measures to define lawful consumption of marijuana.

Laid over until Wednesday, March 8, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (SB17-061) of Monday, March 6, was laid over until Tuesday, March 7, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Baumgardner, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-156 as amended, SB17-189 as amended, SB17-178, HB17-1143.
Laid over until Tuesday, March 7: SB17-061.
Laid over until Wednesday, March 8: SB17-184.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-015 by Senator(s) Aguilar; also Representative(s) Pabon--Concerning the unlawful advertising of marijuana.

Laid over until Tuesday, March 7, retaining its place on the calendar.

SB17-046 by Senator(s) Tate, Kerr, Moreno; also Representative(s) Arndt, Thurlow--Concerning the modernization of procedures pertaining to warrants and checks not yet presented to the state treasurer for payment.

Senator Tate moved that the Senate concur in House amendments to **SB17-046**, as printed in House journal, March 2, page 375. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, February 24, 2017, at 08:30 a.m.:
SB17-052, 159, 160, 161, 162, 163, 164, 166, 167, 168, 169, 170, 171, 172, and 175.

To the Governor for signature on Thursday, March 2, 2017, at 12:42 p.m.:
SB17-013, 020, and 058.

(See also, Message from the Governor, as printed in Senate Journal, March 2, 2017, pages 339-341.)

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, March 7, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

56th Legislative Day Tuesday, March 7, 2017

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 Zenzinger.

Reading of the Journal — On motion of Senator Kagan, reading of the Journal of Monday, March 6, 2017, 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 **HB17-1015** 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 3, line 23, after "(f)" insert "(I)".

Page 4, after line 2 insert:

"(II) IF A COUNTY SHERIFF AWARDS A DEDUCTION PURSUANT TO THIS SUBSECTION (1)(f), HE OR SHE SHALL NOTIFY THE CHIEF JUDGE OF THE JUDICIAL DISTRICT OF SUCH FACT NOT LATER THAN THREE BUSINESS DAYS AFTER THE DEDUCTION IS AWARDED. IN PROVIDING SUCH NOTICE, THE SHERIFF SHALL INDICATE HOW MANY DAYS WERE DEDUCTED AND THE NATURE OF THE UNUSUAL OR EXTRAORDINARY ACTION TAKEN BY THE INMATE.".

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1023** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1039** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1071** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1142** 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 **HB17-1133** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB17-078** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB17-148** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 11, after line 4 insert:

"**SECTION 9. Appropriation.** For the 2017-18 state fiscal year, $10,000 is appropriated to the department of regulatory agencies for use by the division of professions and occupations. This appropriation is from the division of professions and occupations cash fund created in section 24-34-105 (2)(b)(I), C.R.S. To implement this act, the division may use this appropriation for personal services.

Renumber succeeding section accordingly.

Page 1, line 106, strike "**AGENCIES.**" and substitute "**AGENCIES AND MAKING AN APPROPRIATION.**".

SENATE SERVICES REPORT

Correctly Engrossed: SB17-156, 178, and 189.
Correctly Reengrossed: SB17-130 and 187.
Correctly Revised: HB17-1143.
Correctly Rerevised: HB17-1034, 1040, 1044, 1056, 1061, 1092, 1093, 1105, 1135, and 1137.
Correctly Enrolled: SB17-046 and 127.

MESSAGE FROM THE HOUSE

March 6, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1147.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1051, amended as printed in House Journal, March 3, 2017.
HB17-1109, amended as printed in House Journal, March 3, 2017.

The House has passed on Third Reading and returns herewith SB17-127.

The House has passed on Third Reading and transmitted to the Revisor of Statutes SB17-123, amended on Third Reading as printed in House Journal March 6, 2017.

The House has voted to concur in the Senate amendments to HB17-1046 and has repassed the bill as so amended.

The House has voted to concur in the Senate amendments to HB17-1011 and has repassed the bill as so amended.

The House has voted to concur in the Senate amendments to HB17-1041 and has repassed the bill as so amended.

The House has adopted and transmits herewith HJR17-1014 as printed in House Journal, March 6, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

March 6, 2017

We herewith transmit:

Without comment, HB17-1147.
Without comment, as amended, HB17-1051 and 1109.
Without comment, as amended, SB17-123.

INTRODUCTION OF RESOLUTIONS

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

HJR17-1014 by Representative(s) Becker K. and Neville P., Duran; also Senator(s) Holbert and Guzman, Grantham--Concerning a change to Rule 43 of the Joint Rules of the Senate and House of Representatives to update the name of the legislative branch policy referenced in the rule regarding services for persons with disabilities to provide access to official legislative proceedings of the Colorado General Assembly.

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:

SB17-212 by Senator(s) Crowder, Fenberg; also Representative(s) Weissman--Concerning the continuation of the Colorado board of veterans affairs.
State, Veterans, & Military Affairs

SB17-213 by Senator(s) Hill and Moreno; also Representative(s) Winter and Bridges, Lundeen--Concerning authorization for automated driving systems to control motor vehicles throughout Colorado.
Transportation

HB17-1027 by Representative(s) Becker J. and Buckner; also Senator(s) Gardner and Garcia--Concerning the Emily Maureen Ellen Keyes organ and tissue donation awareness fund, and, in connection therewith, changing the name of the fund, removing the repeal date of the fund, requiring an annual report on the use of donated funds, clarifying that an organ and tissue donor designation is effective unless revoked by the donor, and making an appropriation.
Finance

HB17-1051 by Representative(s) Rankin and Garnett; also Senator(s) Coram and Kerr--Concerning modernization of the Colorado "Procurement Code".
Business, Labor, & Technology

HB17-1109 by Representative(s) Carver and Danielson; also Senator(s) Fields and Cooke--Concerning prosecuting in one jurisdiction a person who has committed sexual assaults against a child in different jurisdictions.
Judiciary

HB17-1147 by Representative(s) Sias; also Senator(s) Kagan--Concerning defining the purposes of community corrections programs.
Judiciary

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:

SB17-156 by Senator(s) Hill; also Representative(s) Wist and Saine--Concerning prerequisites to the authority of a unit owners' association to pursue resolution of disputes involving construction defects.

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Holbert, Jahn, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, and Zenzinger.

SB17-189 by Senator(s) Cooke; also Representative(s) Foote--Concerning elimination of the requirement that a law enforcement agency is the only entity authorized to take fingerprints for purposes of a background check.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Grantham, Guzman, Hill, Kagan, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Scott, Smallwood, and Todd.

HB17-1143 by Representative(s) Landgraf; also Senator(s) Crowder--Concerning audits of correspondence sent to medicaid clients.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Cooke, Hill, Jahn, Kefalas, Lundberg, Martinez Humenik, Merrifield, Moreno, Priola, Smallwood, and Tate.

SB17-178 by Senator(s) Marble; also Representative(s) Melton--Concerning prohibiting a court from requiring a medical-marijuana patient to abstain from the use of marijuana as a condition of bond.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Fenberg, Fields, Guzman, Kagan, Lundberg, Merrifield, Moreno, Neville T., and Smallwood.

Committee of the Whole

On motion of Senator Crowder, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Crowder was called to act as Chair.

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

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

HB17-1096 by Representative(s) Liston, Landgraf, Lawrence, Navarro, Sias; also Senator(s) Smallwood--Concerning endowment care funds administered for cemetery authorities.

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

HB17-1140 by Representative(s) Danielson, Buckner, Covarrubias, Lawrence, Lundeen, Navarro, Nordberg, Pettersen, Sias; also Senator(s) Neville T., Gardner, Jahn, Priola, Todd, Zenzinger--Concerning permitted uses of fee-for-service contract money by the Colorado school of mines.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Crowder, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1096, HB17-1140.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB17-061) of Tuesday, March 7, was laid over until Friday, March 10, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-015 by Senator(s) Aguilar; also Representative(s) Pabon--Concerning the unlawful advertising of marijuana.

Senator Aguilar moved that the Senate concur in House amendments to **SB17-015**, as printed in House journal, March 2, page 374. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Hill and Tate.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

EXECUTIVE DIRECTOR OF THE
COLORADO DEPARTMENT OF HIGHER EDUCATION
AND THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION

effective February 15, 2017 for a term expiring at the pleasure of the Governor:

Kim Hunter Reed, PhD of Denver, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

effective December 31, 2016 for terms expiring December 31, 2020:

Bror Douglas Quimby of Colorado Springs, Colorado, a Republican, reappointed;

Tilman "Tillie" Bishop of Grand Junction, Colorado, a Republican, reappointed;

J. David Reed of Montrose, Colorado, a Republican, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

effective December 31, 2016 for terms expiring December 31, 2020:

Ernest Domingo House, Jr. of Aurora, Colorado, to serve as an Unaffiliated, reappointed;

Richard C. Kaufman of Centennial, Colorado, to serve as a Democrat, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, March 8, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

57th Legislative Day — Wednesday, March 8, 2017

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community: A Mennonite Congregation, Littleton.

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

Roll Call — Present--35

Musical Presentation — Kinard Middle School Choir from Fort Collins, performing "The Star-Spangled Banner".

Quorum — The President announced a quorum present.

Pledge — By Senator Zenzinger.

Reading of the Journal — On motion of Senator Kagan, reading of the Journal of Tuesday, March 7, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Local Government — After consideration on the merits, the Committee recommends that **HB17-1065** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-181** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-182** 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, after "(5.5)" insert "and (8)".

Page 3, strike lines 22 through 25 and substitute "collect from the owner or driver of an underinsured motor vehicle. ~~An underinsured motor vehicle is a land motor vehicle, the ownership, maintenance, or use of which is insured or bonded for bodily injury or death at the time of the accident.~~"

Page 4, after line 11 insert:

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

(a) "UNDERINSURED MOTOR VEHICLE" MEANS A MOTOR VEHICLE, THE OWNERSHIP, MAINTENANCE, OR USE OF WHICH IS INSURED OR BONDED FOR BODILY INJURY OR DEATH AT THE TIME OF THE ACCIDENT.

(b) "UNINSURED MOTOR VEHICLE" MEANS A MOTOR VEHICLE THAT:

(I) IS NOT INSURED, SELF-INSURED, OR BONDED FOR BODILY INJURY LIABILITY AT THE TIME OF THE ACCIDENT;

(II) IS INSURED, SELF-INSURED, OR BONDED FOR BODILY INJURY LIABILITY AT THE TIME OF THE ACCIDENT; EXCEPT THAT THE LIMITS ARE LESS THAN REQUIRED BY SECTION 10-4-619;

(III) HAS A POLICY AND THE CARRIER COVERING THE MOTOR

VEHICLE DENIES THAT ITS POLICY PROVIDES LIABILITY COVERAGE FOR COMPENSATORY DAMAGES THAT RESULT FROM THE ACCIDENT; OR

(IV) HAS A POLICY AND THE CARRIER COVERING THE MOTOR VEHICLE IS OR BECOMES INSOLVENT.".

Judiciary

After consideration on the merits, the Committee recommends that **SB17-191** be referred to the Committee of the Whole with favorable recommendation.

Finance

The Committee on Finance 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 BANKING BOARD

for a term expiring July 1, 2020:

Jonathan Randall Fox of Fowler, Colorado, to serve as a representative of bankers, reappointed.

Finance

After consideration on the merits, the Committee recommends that **HB17-1136** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Trans-portation

After consideration on the merits, the Committee recommends that **HB17-1107** 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 **HB17-1157** 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: SB17-212 and 213.
Correctly Reengrossed: SB17-156, 178, and 189.
Correctly Revised: HB17-1096 and 1140.
Correctly Rerevised: HB17-1143.
Correctly Enrolled: SB17-015.

MESSAGE FROM THE HOUSE

March 7, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1156, 1183, 1194, 1144.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1193, amended as printed in House Journal, March 6, 2017.
HB17-1198, amended as printed in House Journal, March 6, 2017.

The House has passed on Third Reading and returns herewith SB17-066.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-011, amended as printed in House Journal, March 6, 2017.

The Speaker announced that Representative Kennedy has replaced Representative Lontine as House Prime Sponsor on SB17-152.

MESSAGE FROM THE REVISOR OF STATUTES

March 7, 2017

We herewith transmit:

Without comment, HB17-1144, 1156, 1183, and 1194.
Without comment, as amended, HB17-1193 and 1198.
Without comment, as amended, SB17-011.

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

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

HB17-1096 by Representative(s) Liston, Landgraf, Lawrence, Navarro, Sias; also Senator(s) Smallwood--Concerning endowment care funds administered for cemetery authorities.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Gardner, Grantham, Hill, Jahn, Neville T., and Todd.

HB17-1140 by Representative(s) Danielson, Buckner, Covarrubias, Lawrence, Lundeen, Navarro, Nordberg, Pettersen, Sias; also Senator(s) Neville T., Gardner, Jahn, Priola, Todd, Zenzinger--Concerning permitted uses of fee-for-service contract money by the Colorado school of mines.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Crowder, Grantham, Hill, Kagan, Marble, Martinez Humenik, Merrifield, Moreno, and Tate.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-184 by Senator(s) Gardner; also Representative(s) Pabon--Concerning measures to define lawful consumption of marijuana.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, March 2, page 329 and placed in members' bill files.)

Amendment No. 2(L.006), by Senator Gardner.

Amend printed bill, page 2, line 16, strike "**Private marijuana clubs**" and substitute "**Marijuana membership clubs**".

Page 2, line 21, strike "PRIVATE MARIJUANA CLUBS." and substitute "MARIJUANA MEMBERSHIP CLUBS.".

Page 4, line 13, strike "A PLACE".

Strike "PRIVATE MARIJUANA CLUB" and substitute "MARIJUANA MEMBERSHIP CLUB" on: **Page 2**, line 17; and **Page 3**, line 3, lines 4 and 5, line 8, line 18, and line 20.

Amendment No. 3(L.007), by Senator Gardner.

Amend printed bill, page 3, line 7, after the period, add "A MARIJUANA MEMBERSHIP CLUB SHALL NOT BE A RETAIL FOOD ESTABLISHMENT, AS DEFINED BY SECTION 25-4-1602 (14), THAT IS REQUIRED TO HAVE A LICENSE BY THE STATE OR ANY LOCAL GOVERNMENT.".

Page 3, strike lines 15 through 17 and substitute:

"(III) THE SALE OR SERVICE OF ALCOHOL IS PROHIBITED;".

Amendment No. 4(L.008), by Senator Gardner.

Amend printed bill, page 3, line 18, strike "SELL" and substitute "SELL,"

Page 3, strike line 19 and substitute "EXCHANGE, OR TRANSFER MARIJUANA TO ANY PERSON FOR REMUNERATION, INCLUDING TRANSFERS RELATED TO REMUNERATION FOR ANY PRODUCT, SERVICE, DUES, OR FEE; AND".

Page 3, strike line 21 and substitute "SALE, EXCHANGE, OR TRANSFER OF MARIJUANA TO ANY PERSON FOR REMUNERATION, INCLUDING TRANSFERS RELATED TO REMUNERATION FOR ANY PRODUCT, SERVICE, DUES, OR FEE.".

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 Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-184 as amended.

MESSAGE FROM THE HOUSE

March 8, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1017, as printed in House Journal, March 8, 2017.

CONSIDERATION OF RESOLUTIONS

HJR17-1014 by Representative(s) Becker K. and Neville P., Duran; also Senator(s) Holbert and Guzman, Grantham--Concerning a change to Rule 43 of the Joint Rules of the Senate and House of Representatives to update the name of the legislative branch policy referenced in the rule regarding services for persons with disabilities to provide access to official legislative proceedings of the Colorado General Assembly.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Crowder, Fields, Garcia, Gardner, Jahn, Jones, Kagan, Kefalas, Kerr, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Smallwood, Tate, Todd, and Zenzinger.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB17-1015, HB17-1023, HB17-1039, HB17-1071, and HB17-1142 were made Special Orders -- Consent Calendar at 10:24 a.m.

Committee of the Whole

The hour of 10:24 a.m. having arrived, Senator Cooke 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 Cooke 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:

HB17-1015 by Representative(s) Hooton; also Senator(s) Cooke--Concerning clarifying the manner in which reductions of inmates' sentences are administered in county jails.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 7, page 363 and placed in members' bill files.)

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

HB17-1023 by Representative(s) Kraft-Tharp and Wist; also Senator(s) Court and Holbert--Concerning a clarification of procedures for subpoenas for deceptive trade practices.

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

HB17-1039 by Representative(s) Lee; also Senator(s) Kagan--Concerning communication issues related to restorative justice.

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

HB17-1071 by Representative(s) Wist and Lee; also Senator(s) Gardner and Kagan--Concerning a process for repayment of certain criminal monetary amounts ordered by the court to be paid following conviction.

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

HB17-1142 by Representative(s) Jackson; also Senator(s) Gardner--Concerning notices of certain court proceedings.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1015 as amended, HB17-1023, HB17-1039, HB17-1071, HB17-1142.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-123 by Senator(s) Priola and Zenzinger; also Representative(s) Hamner and Wilson--Concerning a high school diploma endorsement for biliteracy.

Laid over until Wednesday, March 15, retaining its place on the calendar.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR17-1017 by Representative(s) Duran and Landgraf, Arndt, Becker K., Kraft-Tharp, Lawrence, Mitsch Bush, Navarro, Pabon, Winter; also Senator(s) Martinez Humenik and Todd, Grantham, Guzman, Kefalas, Sonnenberg, Zenzinger--Concerning the presence of women on corporate boards.

On motion of Senator Martinez Humenik, the resolution was read at length and **adopted** by the following roll call vote:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Fields, Garcia, Jahn, Jones, Kagan, Kerr, Merrifield, Moreno, and Williams A.

MESSAGE FROM THE HOUSE

March 8, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1016, as printed in House Journal, March 8, 2017.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS (cont'd)

HJR17-1016 by Representative(s) Becker J. and Mitsch Bush, Becker K., Buck, Catlin, Esgar, Ginal, Hamner, Jackson, Kennedy, Kraft-Tharp, Lawrence, Lewis, Lontine, McKean, Michaelson Jenet, Navarro, Rankin, Rosenthal, Singer, Thurlow, Valdez, Weissman, Wilson, Winter, Young; also Senator(s) Sonnenberg, Martinez Humenik, Aguilar, Coram, Fields, Kefalas, Merrifield, Todd--Concerning recognition of rural hospitals in Colorado, and, in connection therewith, declaring March 8, 2017, to be "Protecting Rural Hospitals Day" .

On motion of Senator Sonnenberg, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kerr, Lambert, Lundberg, Marble, Moreno, Neville T., Priola, Scott, Smallwood, Tate, Williams A., and Zenzinger.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB17-1052, 1055, 1094.

TRIBUTES

Honoring:

Domingo and Sadie Montelongo -- By Senator Leroy Garcia.
Tamil Maldonado-Vega -- By Senator Steve Fenberg.
Colorado Educator Voice Fellowship -- By Senator Rachel Zenzinger.
Audy Leggere-Hickey -- By Senator Steve Fenberg.
Ben Lenger -- By Senator Steve Fenberg.
Bookworm of Edwards -- By Senator Kerry Donovan.
Diego Sanchez -- By Senator Leroy Garcia.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, March 9, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

58th Legislative Day Thursday, March 9, 2017

Prayer — By the chaplain, Dr. Gene Selander, Crystal Clear Ministries, Denver.

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

Roll Call — Present--34
Absent--1, Todd.
Present later--1, Todd.

Quorum — The President announced a quorum present.

Pledge — By Senator Zenzinger.

Reading of the Journal — On motion of Senator Kagan, reading of the Journal of Wednesday, March 8, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-192** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

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

"**SECTION 1.** In Colorado Revised Statutes, 12-43.3-202, **amend** (2)(a) introductory portion, (2)(a)(XVIII.6), (2)(a)(XX), and (2)(a)(XXI); and **add** (2)(a)(XXII) as follows:

12-43.3-202. Powers and duties of state licensing authority - rules. (2) (a) Rules promulgated pursuant to ~~paragraph (b) of subsection (1)~~ SUBSECTION (1)(b) of this section may include, but need not be limited to, the following subjects:

(XVIII.6) Medical marijuana transporter licensed businesses, including requirements for drivers, including obtaining and maintaining a valid Colorado driver's license; insurance requirements; acceptable time frames for transport, storage, and delivery; requirements for transport vehicles; REQUIREMENTS FOR DELIVERIES TO PRIVATE RESIDENCES; and requirements for licensed premises;

(XX) Such other matters as are necessary for the fair, impartial, stringent, and comprehensive administration of this ~~article; and~~ ARTICLE 43.3;

(XXI) The parameters and qualifications of an indirect beneficial interest owner and a qualified limited passive investor; AND

(XXII) MEDICAL MARIJUANA DELIVERY AS DESCRIBED IN SECTION 12-43.3-402 (10), INCLUDING:

(A) QUALIFICATIONS AND ELIGIBILITY REQUIREMENTS FOR MEDICAL MARIJUANA CENTERS AND MEDICAL MARIJUANA TRANSPORTERS APPLYING FOR A DELIVERY PERMIT;

(B) TRAINING REQUIREMENTS FOR PERSONNEL OF MEDICAL MARIJUANA CENTERS AND MEDICAL MARIJUANA TRANSPORTERS THAT HOLD A DELIVERY PERMIT WHO WILL DELIVER MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO THIS SECTION;

(C) PROCEDURES FOR PROOF OF MEDICAL MARIJUANA REGISTRY AND AGE IDENTIFICATION AND VERIFICATION;

(D) DELIVERY VEHICLE REQUIREMENTS, INCLUDING BUT NOT LIMITED TO REQUIREMENTS FOR LOCATION AND VEHICLE TRACKING,

SECURITY, AND SURVEILLANCE;

(E) SECURITY REQUIREMENTS, INCLUDING BUT NOT LIMITED TO REQUIREMENTS FOR AREAS WHERE DELIVERY ORDERS ARE PROCESSED, STORED, WEIGHED, PACKAGED, PREPARED, TAGGED, TRANSPORTED, TRANSFERRED, AND DELIVERED, AND OTHER MINIMUM PROCEDURES FOR INTERNAL CONTROL AS DEEMED NECESSARY BY THE STATE LICENSING AUTHORITY TO PROPERLY ADMINISTER AND ENFORCE THE PROVISIONS OF THIS ARTICLE 43.3;

(F) RECORD-KEEPING REQUIREMENTS;

(G) LIMITS ON THE AMOUNTS OF MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS THAT MAY BE CARRIED IN A DELIVERY VEHICLE;

(H) PRACTICES AND PROCEDURES TO ENSURE THAT THE MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS DELIVERED PURSUANT TO THIS SECTION ARE SUBJECT TO THE MEDICAL MARIJUANA CENTER'S INVENTORY;

(I) INVENTORY TRACKING SYSTEM REQUIREMENTS, INCLUDING BUT NOT LIMITED TO REQUIREMENTS THAT MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS ARE TRACKED FROM THE POINT THAT THEY ARE TRANSFERRED FROM A MEDICAL MARIJUANA CENTER TO THE POINT OF DELIVERY AT A PRIVATE RESIDENCE AND BETWEEN PRIVATE RESIDENCES, AND REQUIREMENTS FOR USE OF AN INVENTORY TRACKING SYSTEM-GENERATED DELIVERY MANIFEST FOR EACH DELIVERY ORDER;

(J) PACKAGING REQUIREMENTS FOR MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS DELIVERED BY A MEDICAL MARIJUANA CENTER AND MEDICAL MARIJUANA TRANSPORTER; AND

(K) HEALTH AND SAFETY REQUIREMENTS FOR DELIVERY OF MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS.

SECTION 2. In Colorado Revised Statutes, 12-43.3-401, **add** (4) as follows:

12-43.3-401. Classes of licenses. (4) A MEDICAL MARIJUANA LICENSEE MAY ACCEPT A TRANSFER OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS FROM A RETAIL MARIJUANA LICENSEE AUTHORIZED PURSUANT TO THE AUTHORITY IN SECTION 12-43.4-401 (5). THE TRANSFER MUST BE COMPLETED WITHIN SIX MONTHS AFTER THE DATE THE TRANSFER WAS APPROVED.

SECTION 3. In Colorado Revised Statutes, 12-43.3-402, **add** (10) as follows:

12-43.3-402. Medical marijuana center license - rules - repeal. (10) (a) THERE IS AUTHORIZED A MEDICAL MARIJUANA DELIVERY PERMIT TO A MEDICAL MARIJUANA CENTER LICENSE AND A MEDICAL MARIJUANA TRANSPORTER LICENSE AUTHORIZING THE HOLDER TO DELIVER MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS TO A REGISTERED MEDICAL MARIJUANA CARD HOLDER EIGHTEEN YEARS OF AGE OR OLDER, OR TO A CARD HOLDER'S PARENT OR GUARDIAN WHO IS TWENTY-ONE YEARS OF AGE OR OLDER AT A PRIVATE RESIDENCE. A MEDICAL MARIJUANA CENTER MUST USE AN EMPLOYEE OR CONTRACT WITH A LICENSED MEDICAL MARIJUANA TRANSPORTER WITH A DELIVERY PERMIT TO MAKE THE DELIVERIES. A MEDICAL MARIJUANA TRANSPORTER WITH A DELIVERY PERMIT MAY DELIVER MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS ONLY ON BEHALF OF A MEDICAL MARIJUANA CENTER WITH A DELIVERY PERMIT AND IS SUBJECT TO THE SAME REQUIREMENTS AS A CENTER WITH A DELIVERY PERMIT.

(b) A MEDICAL MARIJUANA DELIVERY PERMIT IS VALID FOR ONE YEAR AND MAY BE RENEWED ANNUALLY UPON RENEWAL OF THE MEDICAL MARIJUANA CENTER LICENSE AND MEDICAL MARIJUANA TRANSPORTER LICENSE.

(c) THE STATE LICENSING AUTHORITY MAY ISSUE A DELIVERY PERMIT TO A QUALIFIED APPLICANT, AS DETERMINED BY THE STATE LICENSING AUTHORITY, THAT HOLDS A MEDICAL MARIJUANA CENTER LICENSE OR MEDICAL MARIJUANA TRANSPORTER LICENSE ISSUED PURSUANT TO THIS ARTICLE 43.3. THE STATE LICENSING AUTHORITY HAS DISCRETION IN DETERMINING WHETHER AN APPLICANT IS QUALIFIED TO RECEIVE A DELIVERY PERMIT. A DELIVERY PERMIT ISSUED BY THE STATE LICENSING AUTHORITY IS DEEMED A REVOCABLE PRIVILEGE OF A MEDICAL MARIJUANA CENTER OR MEDICAL MARIJUANA TRANSPORTER.

(d) (I) THE STATE LICENSING AUTHORITY SHALL ESTABLISH BY

RULE AN APPLICATION FEE AND ANNUAL RENEWAL FEE FOR THE DELIVERY PERMIT.

(II) THE AMOUNT OF THE FEE MUST REFLECT THE EXPECTED COSTS OF ADMINISTERING THE PERMIT AND MAY BE ADJUSTED BY THE STATE LICENSING AUTHORITY TO REFLECT THE PERMIT'S ACTUAL DIRECT AND INDIRECT COSTS.

(e) (I) EACH DELIVERY PERMIT ISSUED TO A MEDICAL MARIJUANA CENTER PURSUANT TO THIS SECTION APPLIES TO ONLY ONE LICENSED MEDICAL MARIJUANA CENTER.

(II) IF A PERSON OR ENTITY THAT APPLIES FOR A DELIVERY PERMIT HOLDS MORE THAN ONE MEDICAL MARIJUANA CENTER LICENSE, A SEPARATE DELIVERY PERMIT IS REQUIRED FOR EACH LICENSED MEDICAL MARIJUANA CENTER FROM WHICH THE PERSON OR ENTITY WISHES TO CONDUCT THE DELIVERY OF MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS; EXCEPT THAT, IF THE MEDICAL MARIJUANA CENTERS ARE IDENTICALLY OWNED, AS DEFINED BY THE STATE LICENSING AUTHORITY FOR PURPOSES OF THIS SECTION, THEN ONLY ONE DELIVERY PERMIT IS REQUIRED.

(f) (I) A MEDICAL MARIJUANA CENTER WITH A DELIVERY PERMIT MAY DELIVER MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS ONLY TO A PERSON WHO PLACED THE ORDER AND WHO:

(A) IS A CURRENT REGISTRANT OF THE MEDICAL MARIJUANA PATIENT REGISTRY AND IS EIGHTEEN YEARS OF AGE OR OLDER OR THE PARENT OR GUARDIAN, WHO IS TWENTY-ONE YEARS OF AGE OR OLDER, OF A MINOR WHO IS A CURRENT REGISTRANT;

(B) HAS DESIGNATED THE MEDICAL MARIJUANA CENTER AS THE PERSON'S PRIMARY MEDICAL MARIJUANA CENTER;

(C) RECEIVES THE DELIVERY PURSUANT TO RULES; AND

(D) POSSESSES AN ACCEPTABLE FORM OF IDENTIFICATION.

(II) ANY PERSON DELIVERING MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS MUST POSSESS A VALID OCCUPATIONAL LICENSE AND BE A CURRENT EMPLOYEE OF THE LICENSED MEDICAL MARIJUANA CENTER WITH A VALID DELIVERY PERMIT OR MEDICAL MARIJUANA TRANSPORTER WITH A VALID DELIVERY PERMIT AND MUST HAVE UNDERGONE TRAINING REGARDING PROOF OF AGE IDENTIFICATION AND VERIFICATION, INCLUDING ALL FORMS OF IDENTIFICATION THAT ARE DEEMED ACCEPTABLE BY THE STATE LICENSING AUTHORITY, AND ANY OTHER TRAINING REQUIRED BY THE STATE LICENSING AUTHORITY.

(g) (I) IN ACCORDANCE WITH THIS SUBSECTION (10) AND RULES ADOPTED TO IMPLEMENT THIS SUBSECTION (10), A LICENSED MEDICAL MARIJUANA CENTER WITH A DELIVERY PERMIT MAY:

(A) RECEIVE AN ORDER OVER THE TELEPHONE OR INTERNET BY THE REGISTERED MEDICAL MARIJUANA PATIENT OR THE PARENT OR GUARDIAN OF A MINOR WHO IS A CURRENT REGISTRANT OF THE MEDICAL MARIJUANA PATIENT REGISTRY FOR THE PURCHASE AND DELIVERY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS NOT IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE LICENSING AUTHORITY FOR MEDICAL MARIJUANA OR ITS EQUIVALENT IN MEDICAL MARIJUANA CONCENTRATE, OR FOR MEDICAL MARIJUANA-INFUSED PRODUCTS, PER ORDER;

(B) DELIVER MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS NOT IN EXCESS OF THE AMOUNTS ESTABLISHED BY THE STATE LICENSING AUTHORITY;

(C) PROCESS EACH ORDER FOR MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS FOR DELIVERY, WHICH IS LIMITED TO ELECTRONIC TRANSACTIONS ONLY, THAT WILL OCCUR AND BE COMPLETED AT THE LICENSED MEDICAL MARIJUANA CENTER AND BE INCLUDED IN THAT DAY'S POINT-OF-SALE REPORTING;

(D) DELIVER ONLY TO A PERSON AT THE ADDRESS REGISTERED IN THE MEDICAL MARIJUANA PATIENT REGISTRY;

(E) DELIVER NO MORE THAN ONCE PER DAY TO THE SAME PERSON OR SAME PRIVATE RESIDENTIAL ADDRESS;

(F) DELIVER MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS ONLY BY A MOTOR VEHICLE THAT COMPLIES WITH THIS SECTION AND THE RULES PROMULGATED PURSUANT TO THIS SECTION; AND

(G) CONTRACT WITH A MEDICAL MARIJUANA TRANSPORTER WITH

A DELIVERY PERMIT TO DELIVER MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO THIS SECTION.

(II) THE STATE LICENSING AUTHORITY SHALL PROMULGATE RULES REGARDING THE PERMITTED HOURS OF DELIVERY.

(h) (I) A PERSON PLACING AN ORDER FOR THE PURCHASE AND DELIVERY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS IN ACCORDANCE WITH THIS SECTION MUST BE A CURRENT REGISTRANT OF THE MEDICAL MARIJUANA PATIENT REGISTRY, OR THE PARENT OR GUARDIAN OF A MINOR WHO IS A CURRENT REGISTRANT, WITH VALID IDENTIFICATION AS DEFINED BY THE STATE LICENSING AUTHORITY, AND WHO HAS REGISTERED THE MEDICAL MARIJUANA CENTER AS THE PATIENT'S PRIMARY CENTER. THE REGISTERED PATIENT OR PARENT OR GUARDIAN OF A MINOR WHO IS A REGISTERED PATIENT MUST ALLOW THE MEDICAL MARIJUANA CENTER OR MEDICAL MARIJUANA TRANSPORTER DELIVERY PERSON TO INSPECT HIS OR HER MEDICAL MARIJUANA REGISTRY CARD AND VALID IDENTIFICATION FOR PROOF OF AGE.

(II) AT THE TIME OF THE ORDER, THE MEDICAL MARIJUANA CENTER SHALL CONFIRM THE VALIDITY OF THE PERSON'S MEDICAL MARIJUANA REGISTRY IDENTIFICATION NUMBER AND ADDRESS AS REQUIRED BY THE STATE LICENSING AUTHORITY. PRIOR TO TRANSFERRING POSSESSION OF THE ORDER TO A PERSON, THE MEDICAL MARIJUANA CENTER OR MEDICAL MARIJUANA TRANSPORTER DELIVERY PERSON SHALL CONFIRM THE PERSON'S IDENTIFICATION, THE PERSON'S POSSESSION OF THE MEDICAL MARIJUANA REGISTRY CARD THAT MATCHES THE MEDICAL MARIJUANA REGISTRY NUMBER, AND THE ADDRESS PROVIDED WITH THE ORDER AT THE POINT OF DELIVERY.

(III) A MEDICAL MARIJUANA CENTER AND MEDICAL MARIJUANA TRANSPORTER DELIVERY PERSON SHALL NOT MODIFY ORDERS OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS AFTER SUCH ORDERS HAVE BEEN PLACED.

(IV) THE STATE LICENSING AUTHORITY SHALL PROMULGATE RULES REGARDING VIDEO SURVEILLANCE REQUIREMENTS FOR AREAS WHERE ORDERS ARE STORED, WEIGHED, PACKAGED, PREPARED, TAGGED, TRANSPORTED, TRANSFERRED, AND DELIVERED.

(V) INVENTORY TRACKING, TRANSPORTATION, AND PACKAGING AND LABELING REQUIREMENTS REQUIRED BY THIS ARTICLE 43.3 OR RULES PROMULGATED BY THE STATE LICENSING AUTHORITY APPLY TO THE DELIVERY OF MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS TO REGISTERED PATIENTS OR TO THE PARENTS OR LEGAL GUARDIANS OF REGISTERED PATIENTS.

(VI) A VEHICLE DELIVERING MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS IS DEEMED AN EXTENSION OF THE MEDICAL MARIJUANA CENTER'S LICENSED PREMISES AND IS THEREFORE SUBJECT TO THE SAME OR SIMILAR REQUIREMENTS APPLIED TO A MEDICAL MARIJUANA CENTER'S LICENSED PREMISES.

(i) IT IS NOT A VIOLATION OF ANY PROVISION OF STATE, CIVIL, OR CRIMINAL LAW FOR A MEDICAL MARIJUANA CENTER WITH A VALID DELIVERY PERMIT, OR ITS PERSONNEL OR A MEDICAL MARIJUANA TRANSPORTER WITH A VALID DELIVERY PERMIT, OR ITS PERSONNEL WHO ARE TRAINED IN ACCORDANCE WITH RULES ADOPTED PURSUANT TO THIS SECTION, TO POSSESS, TRANSPORT, AND DELIVER MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS PURSUANT TO A DELIVERY PERMIT IN AMOUNTS THAT DO NOT EXCEED AMOUNTS ESTABLISHED BY THE STATE LICENSING AUTHORITY.

(j) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION, DELIVERY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS IS NOT PERMITTED IN ANY MUNICIPALITY, COUNTY, OR CITY AND COUNTY THAT HAS PROHIBITED THE OPERATION OF MEDICAL MARIJUANA CENTERS, OPTIONAL PREMISES CULTIVATION OPERATIONS, AND MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS' LICENSES IN ACCORDANCE WITH THE AUTHORITY GRANTED IN THIS ARTICLE 43.3 UNLESS THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY, BY EITHER A MAJORITY OF THE REGISTERED ELECTORS OF THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY VOTING AT A REGULAR ELECTION OR SPECIAL ELECTION CALLED IN ACCORDANCE WITH THE "COLORADO MUNICIPAL ELECTION CODE OF 1965", ARTICLE 10 OF TITLE 31, OR THE "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF

TITLE 1, AS APPLICABLE, OR A MAJORITY OF THE MEMBERS OF THE GOVERNING BOARD FOR THE MUNICIPALITY, COUNTY, OR CITY AND COUNTY, VOTE TO ALLOW THE DELIVERY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS TO PRIVATE RESIDENCES PURSUANT TO THIS SECTION;

(k) (I) THE STATE LICENSING AUTHORITY SHALL BEGIN ISSUING DELIVERY PERMITS ON JULY 1, 2018.

(II) THIS SUBSECTION (10) IS REPEALED, EFFECTIVE JULY 1, 2020.

SECTION 4. In Colorado Revised Statutes, 12-43.3-406, **amend** (1)(a) as follows:

12-43.3-406. Medical marijuana transporter license. (1) (a) A medical marijuana transporter license may be issued to a person to provide logistics, distribution, DELIVERY TO A PRIVATE RESIDENCE ON BEHALF OF A MEDICAL MARIJUANA CENTER PURSUANT TO SECTION 12-43.3-402 (10), and storage of medical marijuana and medical marijuana-infused products. Notwithstanding any other provisions of law, a medical marijuana transporter license is valid for two years, but cannot be transferred with a change of ownership. A licensed medical marijuana transporter is responsible for the medical marijuana and medical marijuana-infused products once it takes control of the product.

SECTION 5. In Colorado Revised Statutes, 12-43.4-202, **amend** (3)(a) introductory portion and (3)(a)(XIX); and **add** (3)(a)(XXI) as follows:

12-43.4-202. Powers and duties of state licensing authority - rules. (3) (a) Rules promulgated pursuant to ~~paragraph (b) of subsection (2)~~ SUBSECTION (2)(b) of this section must include, but need not be limited to, the following subjects:

(XIX) Nonescorted visitors in limited access areas; ~~and~~

(XXI) ONE-TIME TRANSFERS OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS FROM A RETAIL MARIJUANA LICENSEE TO A MEDICAL MARIJUANA LICENSEE PURSUANT TO SECTION 12-43.4-401 (5).

SECTION 6. In Colorado Revised Statutes, 12-43.4-401, **add** (5) as follows:

12-43.4-401. Classes of licenses. (5) (a) A RETAIL MARIJUANA LICENSEE IN GOOD STANDING MAY COMPLETE A ONE-TIME TRANSFER OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS TO A MEDICAL MARIJUANA LICENSEE OR LICENSEES IN GOOD STANDING BASED ON ONE OF THE FOLLOWING DEMONSTRATED BUSINESS NEEDS:

(I) LOSS OR THREATENED LOSS OF A RETAIL MARIJUANA LICENSE NOT ASSOCIATED WITH WRONGDOING BY THE RETAIL MARIJUANA LICENSEE;

(II) INABILITY TO OPERATE A RETAIL MARIJUANA FACILITY DUE TO LOCAL, REGIONAL, STATE, OR NATIONAL LAW ENFORCEMENT ACTIVITY NOT ASSOCIATED WITH A LICENSEE'S VIOLATION OF STATE OR LOCAL LAW; OR

(III) ANOTHER COMPELLING BUSINESS NEED UNRELATED TO A LICENSEE'S VIOLATION OF STATE OR LOCAL LAW, AS DETERMINED BY THE STATE LICENSING AUTHORITY.

(b) IF GRANTED, THE TRANSFER AUTHORIZED BY THIS SUBSECTION (5) MUST BE COMPLETED WITHIN SIX MONTHS OF THE DATE THE TRANSFER WAS APPROVED.

SECTION 7. In Colorado Revised Statutes, 39-28.8-101, **amend** the introductory portion and (1); and **add** (1.5) and (2.5) as follows:

39-28.8-101. Definitions. Unless the context otherwise requires, any terms not defined in this ~~article shall~~ ARTICLE 28.8 have the meanings set forth in article 26 of this ~~title~~ TITLE 39. As used in this ~~article~~ ARTICLE 28.8, unless the context otherwise requires:

(1) ~~"Average market rate" means the average price, as determined by the department on a biannual basis in six-month intervals, of all unprocessed retail marijuana that is sold or transferred from retail marijuana cultivation facilities in the state to retail marijuana product manufacturing facilities, retail marijuana stores, or other retail marijuana cultivation facilities. An "average market rate" may be based on the purchaser or transferee of unprocessed retail marijuana or on the nature of the unprocessed retail marijuana that is sold or transferred~~ "AFFILIATED MARIJUANA BUSINESS LICENSEES" MEANS MARIJUANA BUSINESS LICENSEES THAT ARE OWNED OR CONTROLLED BY THE SAME OR

RELATED INTERESTS, WHERE "RELATED INTERESTS" INCLUDES INDIVIDUALS WHO ARE RELATED BY BLOOD OR MARRIAGE OR ENTITIES THAT ARE DIRECTLY OR INDIRECTLY CONTROLLED BY AN ENTITY OR INDIVIDUAL OR RELATED INDIVIDUALS.

(1.5) "AVERAGE MARKET RATE" MEANS THE AVERAGE PRICE, AS DETERMINED BY THE DEPARTMENT ON A QUARTERLY BASIS, OF ALL UNPROCESSED RETAIL MARIJUANA THAT IS SOLD OR TRANSFERRED FROM RETAIL MARIJUANA CULTIVATION FACILITIES IN THE STATE TO RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITIES, RETAIL MARIJUANA STORES, OR OTHER RETAIL MARIJUANA CULTIVATION FACILITIES, LESS TAXES PAID ON THE SALES OR TRANSFERS. AN "AVERAGE MARKET RATE" MAY BE BASED ON THE PURCHASER OR TRANSFEREE OF UNPROCESSED RETAIL MARIJUANA OR ON THE NATURE OF THE UNPROCESSED RETAIL MARIJUANA THAT IS SOLD OR TRANSFERRED. THE "AVERAGE MARKET RATE" MUST INCLUDE A TIER THAT COVERS UNPROCESSED MARIJUANA THAT IS ALLOCATED TO EXTRACTIONS, AND THE RATE FOR THAT TIER MUST BE LOWER THAN THE RATE FOR UNPROCESSED MARIJUANA THAT IS ALLOCATED FOR DIRECT SALE TO CONSUMERS.

(2.5) "CONTRACT PRICE" MEANS THE INVOICE PRICE CHARGED BY A RETAIL MARIJUANA CULTIVATION FACILITY TO EACH LICENSED PURCHASER FOR EACH SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA, EXCLUSIVE OF ANY TAX THAT IS INCLUDED IN THE WRITTEN INVOICE PRICE, AND EXCLUSIVE OF ANY DISCOUNT OR OTHER REDUCTION. IN THE CASE OF MULTIPLE INVOICES REFLECTING MULTIPLE PRICES FOR THE SAME TRANSACTION, "CONTRACT PRICE" IS THE HIGHEST SUCH PRICE.

SECTION 8. In Colorado Revised Statutes, 39-28.8-302, **amend** (1)(a)(I) as follows:

39-28.8-302. Retail marijuana - excise tax levied at first transfer from retail marijuana cultivation facility - tax rate. (1) (a) (I) ~~Beginning January 1, 2014,~~ Except as otherwise provided in ~~subparagraph (II) of this paragraph (a) and paragraph (b) of this subsection (1)~~ SUBSECTION (1)(b) OF THIS SECTION, there is levied and shall be collected, in addition to the sales tax imposed pursuant to part 1 of article 26 of this ~~title~~ TITLE 39 and part 2 of this ~~article~~ ARTICLE 28.8, a tax on the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility, at a rate of fifteen percent of the average market rate of the unprocessed retail marijuana IF THE TRANSACTION IS BETWEEN AFFILIATED RETAIL MARIJUANA BUSINESS LICENSEES. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, THERE IS LEVIED AND SHALL BE COLLECTED, IN ADDITION TO THE SALES TAX IMPOSED PURSUANT TO PART 1 OF ARTICLE 26 OF THIS TITLE 39 AND PART 2 OF THIS ARTICLE 28.8, A TAX ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY, AT A RATE OF FIFTEEN PERCENT OF THE CONTRACT PRICE FOR UNPROCESSED RETAIL MARIJUANA IF THE TRANSACTION IS BETWEEN UNAFFILIATED RETAIL MARIJUANA BUSINESS LICENSEES. The tax shall be imposed at the time when the retail marijuana cultivation facility first sells or transfers unprocessed retail marijuana from the retail marijuana cultivation facility to a retail marijuana product manufacturing facility OR a retail marijuana store. ~~or another retail marijuana cultivation facility.~~

SECTION 9. In Colorado Revised Statutes, 29-2-114, **amend** (1)(a) and (2)(a) as follows:

29-2-114. Retail marijuana excise tax - county - municipality - election. (1) (a) In addition to any sales tax imposed pursuant to section 29-2-103 and articles 26 and 28.8 of title 39, ~~C.R.S.,~~ and in addition to the excise tax imposed pursuant to article 28.8 of title 39, ~~C.R.S.,~~ each county in the state is authorized to levy, collect, and enforce a county excise tax on the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility authorized by the county; except that a county is not authorized to levy, collect, and enforce a county excise tax on the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility pursuant to this subsection (1) within any municipality that levies such an excise tax pursuant to subsection (2) of this section. The tax shall be imposed at the time when the retail marijuana cultivation facility first sells or transfers unprocessed retail marijuana from the retail marijuana cultivation facility

to a retail marijuana product manufacturing facility OR a retail marijuana store. ~~or another retail marijuana cultivation facility.~~ The tax rate imposed pursuant to this ~~paragraph (a) shall~~ SUBSECTION (1)(a) MAY not exceed five percent of the average market rate, as determined by the department of revenue pursuant to section 39-28.8-101 (1), ~~C.R.S.,~~ of the unprocessed retail marijuana.

(2) (a) In addition to any sales tax imposed pursuant to section 29-2-102 and articles 26 and 28.8 of title 39, ~~C.R.S.,~~ and in addition to the excise tax imposed pursuant to article 28.8 of title 39, ~~C.R.S.,~~ each municipality in the state is authorized to levy, collect, and enforce a municipal excise tax on the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility. The tax shall be imposed at the time when the retail marijuana cultivation facility first sells or transfers unprocessed retail marijuana from the retail marijuana cultivation facility to a retail marijuana product manufacturing facility OR a retail marijuana store. ~~or another retail marijuana cultivation facility.~~ The tax rate imposed by any statutory municipality pursuant to this ~~paragraph (a) shall~~ SUBSECTION (2)(a) MAY not exceed five percent of the average market rate, as determined by the department of revenue pursuant to section 39-28.8-101 (1), ~~C.R.S.,~~ of the unprocessed retail marijuana.

SECTION 10. In Colorado Revised Statutes, 32-1-1004, **amend** (10)(a) and (10)(b) as follows:

32-1-1004. Metropolitan districts - additional powers and duties. (10) (a) In addition to the excise tax imposed pursuant to article 28.8 of title 39, ~~C.R.S.,~~ a metropolitan district with boundaries entirely within the unincorporated area of a county is authorized to levy, collect, and enforce a metropolitan district excise tax on the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility. The tax shall be imposed at the time when the retail marijuana cultivation facility first sells or transfers unprocessed retail marijuana from the retail marijuana cultivation facility to a retail marijuana product manufacturing facility OR a retail marijuana store. ~~or another retail marijuana cultivation facility.~~

(b) If the boundaries of a metropolitan district are within a county that imposes an additional excise tax on the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility pursuant to section 29-2-114, ~~C.R.S.,~~ the excise tax rate imposed by the metropolitan district pursuant to this subsection (10) shall not exceed such tax rate imposed by the county. In no event shall the tax rate imposed pursuant to this subsection (10) exceed five percent of the average market rate, as determined by the department of revenue pursuant to section 39-28.8-101 (1), ~~C.R.S.,~~ of the unprocessed retail marijuana.

SECTION 11. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Judiciary

The Committee on Judiciary 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
STATE BOARD OF PAROLE

effective September 1, 2016 for a term expiring July 1, 2017:

Brandon W. Mathews of Colorado Springs, Colorado, and occasioned by the resignation of Barbara Jean Kelley of Denver, Colorado, appointed.

Judiciary

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

MEMBERS OF THE
STATE BOARD OF PAROLE

for terms expiring July 1, 2020:

Joe Martin Morales of Parker, Colorado, to serve as a representative of law enforcement, and as Chair, reappointed;

Rebecca Lynn Oakes of Denver, Colorado, to serve as a citizen member, reappointed;

Alexandra Jennifer Walker of Sedalia, Colorado, to serve as a citizen member, reappointed.

Judiciary

The Committee on Judiciary 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 COMMISSION ON JUDICIAL DISCIPLINE

for a term expiring June 30, 2019:

Drucilla Pugh of Pueblo, Colorado, to serve as a non-attorney, appointed.

Judiciary

After consideration on the merits, the Committee recommends that **HB17-1048** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary

After consideration on the merits, the Committee recommends that **SB17-094** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB17-071** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

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

"**SECTION 1.** In Colorado Revised Statutes, 1-2-301, **add** (6) as follows:

1-2-301. Centralized statewide registration system - secretary of state to maintain computerized statewide voter registration list - county computer records - agreement to match information - independent review - report - definition. (6) BEFORE EACH GENERAL ELECTION, THE SECRETARY OF STATE SHALL CAUSE TO BE CONDUCTED AN INDEPENDENT REVIEW OF THE LOAD TESTING OF THE CENTRALIZED STATEWIDE REGISTRATION SYSTEM CREATED IN SUBSECTION (1) OF THIS SECTION. NOTWITHSTANDING SECTION 24-1-136 (11)(a), THE SECRETARY OF STATE SHALL PROVIDE THE RESULTS OF THE INDEPENDENT REVIEW TO THE JOINT TECHNOLOGY COMMITTEE CREATED IN SECTION 2-3-1702 AND TO ANY ELECTIONS PRACTICES ADVISORY BODY ADMINISTRATIVELY CREATED AND CONVENED BY THE SECRETARY OF STATE.

SECTION 2. In Colorado Revised Statutes, 1-5-102.9, **amend** (1)(a), (1)(c)(II), (2), and (4)(b)(I)(A); and **add** (1)(c)(III), (1.5), and (4)(b)(I)(C) as follows:

1-5-102.9. Voter service and polling centers - number required - services provided - drop-off locations - report - definition - repeal. (1) (a) For general elections, each county clerk and recorder

shall designate a minimum number of voter service and polling centers, as follows:

(I) FOR COUNTIES WITH AT LEAST THREE HUNDRED THOUSAND ACTIVE ELECTORS:

(A) DURING THE FIRST SEVEN DAYS OF THE PERIOD DESIGNATED FOR EARLY VOTING, AT LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EACH SEVENTY-FIVE THOUSAND ACTIVE ELECTORS. ANY VOTER SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(I)(A) MUST BE OPEN AT LEAST EIGHT HOURS.

(B) DURING THE NEXT SIX DAYS OF THE PERIOD DESIGNATED FOR EARLY VOTING, AT LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EACH FIFTY THOUSAND ACTIVE ELECTORS. ANY VOTER SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(I)(B) MUST BE OPEN AT LEAST EIGHT HOURS AND AT LEAST UNTIL 6:00 P.M.

(C) ON THE SATURDAY IMMEDIATELY PRECEDING ELECTION DAY, AT LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EVERY FIFTY THOUSAND ACTIVE ELECTORS. ANY VOTER SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(I)(C) MUST BE OPEN, AT A MINIMUM, FROM 9:00 A.M. UNTIL 5:00 P.M.

(D) ON THE MONDAY IMMEDIATELY PRECEDING ELECTION DAY AND ON ELECTION DAY, AT LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EVERY FIFTEEN THOUSAND ACTIVE ELECTORS. ANY VOTER SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(I)(D) MUST BE OPEN FROM 7:00 A.M. UNTIL 7:00 P.M.

~~(I)~~ (II) For counties with at least twenty-five thousand, BUT FEWER THAN THREE HUNDRED THOUSAND, active electors:

(A) During the FIRST SEVEN DAYS OF THE period designated for early voting, at least one voter service and polling center for each ~~thirty~~ SEVENTY-FIVE thousand active electors; except that there must be at least one voter service and polling center in each such county. ~~and~~ ANY VOTER SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(II)(A) MUST BE OPEN AT LEAST EIGHT HOURS.

(B) DURING THE NEXT SIX DAYS OF EARLY VOTING, AT LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EACH FIFTY THOUSAND ACTIVE ELECTORS; EXCEPT THAT THERE MUST BE AT LEAST ONE VOTER SERVICE AND POLLING CENTER IN EACH SUCH COUNTY. ANY VOTER SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(II)(B) MUST BE OPEN AT LEAST EIGHT HOURS AND AT LEAST UNTIL 6:00 P.M.

(C) ON THE SATURDAY IMMEDIATELY PRECEDING ELECTION DAY, AT LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EVERY FIFTY THOUSAND ACTIVE ELECTORS. ANY VOTER SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(II)(C) MUST BE OPEN, AT A MINIMUM, FROM 9:00 A.M. UNTIL 3:00 P.M.

(D) ON THE MONDAY IMMEDIATELY PRECEDING ELECTION DAY, AT LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EVERY THIRTY THOUSAND ACTIVE ELECTORS. ANY VOTER SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(II)(D) MUST BE OPEN FROM 7:00 A.M. UNTIL 7:00 P.M.

~~(B)~~ (E) On election day, at least one voter service and polling center for every fifteen thousand active electors, but no fewer than three in each such county. ANY VOTER SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(II)(E) MUST BE OPEN FROM 7:00 A.M. UNTIL 7:00 P.M.

~~(II)~~ (III) For counties with at least ten thousand, but fewer than twenty-five thousand, active electors:

(A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION (1)(a)(III), during the period designated for early voting, at least one voter service and polling center ~~and~~ THAT IS OPEN DURING BUSINESS HOURS.

(B) ON THE SATURDAY IMMEDIATELY PRECEDING ELECTION DAY, AT LEAST ONE VOTER SERVICE AND POLLING CENTER. ANY VOTER SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(IV)(B) MUST BE OPEN, AT A MINIMUM, FROM 9:00 A.M. UNTIL 3:00 P.M.

(C) ON THE MONDAY IMMEDIATELY PRECEDING ELECTION DAY, AT LEAST ONE VOTER SERVICE AND POLLING CENTER, WHICH MUST BE OPEN DURING BUSINESS HOURS.

~~(B)~~ (D) On election day, at least ~~three~~ TWO voter service and polling centers; WHICH VOTER SERVICE AND POLLING CENTERS MUST BE OPEN FROM 7:00 A.M. UNTIL 7:00 P.M.

~~(III)~~ (IV) For counties with fewer than ten thousand active electors:

(A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION (1)(a)(IV), during the period designated for early voting, at least one voter service and polling center ~~and~~ THAT IS OPEN DURING BUSINESS HOURS.

(B) ON THE SATURDAY IMMEDIATELY PRECEDING ELECTION DAY, AT LEAST ONE VOTER SERVICE AND POLLING CENTER. ANY VOTER SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(IV)(B) MUST BE OPEN, AT A MINIMUM, FROM 9:00 A.M. UNTIL 3:00 P.M.

(C) ON THE MONDAY IMMEDIATELY PRECEDING ELECTION DAY, AT LEAST ONE VOTER SERVICE AND POLLING CENTER, WHICH MUST BE OPEN DURING BUSINESS HOURS.

~~(B)~~ (D) On election day, at least one voter service and polling center, WHICH VOTER SERVICE AND POLLING CENTERS MUST BE OPEN FROM 7:00 A.M. UNTIL 7:00 P.M.

(c) (II) In designating voter service and polling centers, a county clerk and recorder shall solicit public comments. A COUNTY CLERK AND RECORDER IS ALSO ENCOURAGED TO CONSULT WITH THE LOCAL BOARD OF EDUCATION, SCHOOL DISTRICT ADMINISTRATION, OR SCHOOL ADMINISTRATION, AS APPROPRIATE, PRIOR TO A DISTRICT OR SCHOOL ADOPTING A CALENDAR FOR THE SCHOOL YEAR UNDER SECTION 22-32-109 (1)(n)(II)(B) IN THE YEAR OF A GENERAL ELECTION, TO DISCUSS WHETHER ANY SCHOOLS MAY BE DESIGNATED AS VOTER SERVICE AND POLLING CENTERS IN THE UPCOMING GENERAL ELECTION.

(III) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, A VOTER SERVICE AND POLLING CENTER MUST BE LOCATED ON THE CAMPUS OF EACH STATE INSTITUTION OF HIGHER EDUCATION, AS THAT TERM IS DEFINED IN SECTION 23-18-102 (10), AT WHICH FIFTEEN THOUSAND FULL-TIME STUDENTS ARE ENROLLED; EXCEPT THAT ONLY ONE VOTER SERVICE AND POLLING CENTER IS REQUIRED PER SUCH CAMPUS, REGARDLESS OF THE NUMBER OF INSTITUTIONS USING THE CAMPUS. A STATE INSTITUTION OF HIGHER EDUCATION NOT HAVING FIFTEEN THOUSAND OR MORE FULL-TIME STUDENTS ENROLLED AT ANY SINGLE CAMPUS IS NOT SUBJECT TO THIS SUBSECTION (1)(c)(III). A CAMPUS VOTER SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(c)(III) COUNTS TOWARD THE MINIMUM NUMBER OF VOTER SERVICE AND POLLING CENTERS REQUIRED UNDER SUBSECTION (1)(a) OF THIS SECTION.

(1.5) (a) THE OFFICIAL HAVING DECISION-MAKING AUTHORITY FOR ANY PUBLIC BUILDING THAT A COUNTY CLERK AND RECORDER REQUESTS TO USE AS A LOCATION FOR A VOTER SERVICE AND POLLING CENTER OR STAND ALONE MAIL BALLOT DROP-OFF LOCATION SHALL PROVIDE A WRITTEN RESPONSE TO THE REQUEST WITHIN THIRTY DAYS OF RECEIVING IT. IF THE OFFICIAL DENIES THE REQUEST, HE OR SHE MUST STATE WITH PARTICULARITY THE REASON ON WHICH THE DENIAL WAS BASED.

(b) THE AMOUNT OF MONEYS THAT MAY BE ASSESSED OR RECOUPED IN CONNECTION WITH THE USE OF A PUBLIC BUILDING AS A LOCATION FOR A VOTER SERVICE AND POLLING CENTER OR STAND ALONE MAIL BALLOT DROP-OFF LOCATION IS LIMITED TO THE ACTUAL EXPENSES INCURRED IN CONNECTION WITH SERVING AS SUCH A LOCATION, WHICH EXPENSES MUST BE ITEMIZED IN A WRITTEN EXPLANATION TO THE COUNTY CLERK AND RECORDER.

(c) NOTWITHSTANDING SECTION 24-1-136 (11)(a), THE SECRETARY OF STATE SHALL SUBMIT A REPORT BY MARCH 1 OF EVERY ODD-NUMBERED YEAR TO THE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEES, OR ANY SUCCESSOR COMMITTEES, OF THE HOUSE OF REPRESENTATIVES AND THE SENATE. THE REPORT MUST DESCRIBE THE LOCATIONS USED AS VOTER SERVICE AND POLLING CENTERS AND MUST INCLUDE THE REASON FOR DENIAL OF USE OF ANY PUBLIC BUILDING PROVIDED TO THE COUNTY CLERK AND RECORDER UNDER SUBSECTION (1.5)(a) OF THIS SECTION.

(d) AS USED IN THIS SUBSECTION (1.5), "PUBLIC BUILDING" HAS

THE SAME MEANING AS SET FORTH IN SECTION 25-14-203 (13).

(2) Voter service and polling centers must be open, at a minimum, for the fifteen-day period prior to and including the day of the election; except that voter service and polling centers are PERMITTED BUT not required to be open ON THE FIRST SATURDAY DURING THE FIFTEEN-DAY PERIOD PRIOR TO THE ELECTION OR on Sundays.

(4) (b) (I) (A) All counties described in ~~subparagraph (I) of paragraph (a) of subsection (1)~~ SUBSECTIONS (1)(a)(I) AND (1)(a)(II) of this section shall provide at least one TWENTY-FOUR HOUR SECURE drop-off location for each thirty thousand active voters in the county, but must provide a minimum of one stand alone drop-off location.

(C) EACH COUNTY WITH AT LEAST FIVE THOUSAND ACTIVE ELECTORS SHALL PROVIDE AT LEAST ONE TWENTY-FOUR HOUR SECURE DROP-OFF LOCATION.

SECTION 3. In Colorado Revised Statutes, **add** 1-7-115.5 as follows:

1-7-115.5. Election day wait time reporting - rules. THE WAIT TIMES AT EACH VOTER SERVICE AND POLLING CENTER MUST BE COLLECTED AND POSTED ON THE DAY OF EACH GENERAL ELECTION IN ACCORDANCE WITH RULES PROMULGATED BY THE SECRETARY OF STATE PURSUANT TO ARTICLE 4 OF TITLE 24.

SECTION 4. In Colorado Revised Statutes, 1-7.5-105, **amend** (1) and (2)(a); and **add** (1.3) as follows:

1-7.5-105. Preelection process - election plan - rules. (1) The county clerk and recorder or designated election official responsible for conducting an election that is to be by mail ballot pursuant to section 1-7.5-104 (1) shall send a proposed election plan for conducting the ~~mail ballot~~ election to the secretary of state no later than fifty-five days prior to a nonpartisan election or, for any ~~mail ballot~~ election that is coordinated with or conducted by the county clerk and recorder, no later than ninety days prior to the election. The proposed plan may be based on the standard plan adopted by the secretary of state by rule. THE COUNTY CLERK AND RECORDER SHALL INCLUDE WITH THE PROPOSED ELECTION PLAN ANY WATCHER ACCOMMODATION PLAN OR OTHER ADMINISTRATIVELY REQUIRED WATCHER PLAN.

(1.3) AT A MINIMUM, AN ELECTION PLAN SUBMITTED UNDER THIS SECTION MUST INCLUDE THE LOCATIONS, HOURS OF OPERATION, CAPACITY, AND EXPECTED VOTER USE OF EACH VOTER SERVICE AND POLLING CENTER IN THE POLITICAL SUBDIVISION.

(2) (a) The secretary of state shall approve or disapprove the written ELECTION plan, ~~for conducting a mail ballot election,~~ in accordance with section 1-7.5-106, within fifteen days after receiving the plan and shall provide a written notice to the affected political subdivision.

SECTION 5. In Colorado Revised Statutes, 1-7.5-107, **amend** (2.7) and (4)(b)(I)(A) as follows:

1-7.5-107. Procedures for conducting mail ballot election - primary elections - first-time voters casting a mail ballot after having registered by mail to vote - in-person request for ballot - repeal. (2.7) Subsequent to the preparation of ballots in accordance with section 1-5-402 but prior to the mailing required under subsection (3) of this section, a designated election official shall provide a mail ballot to a registered elector requesting the ballot at the designated election official's office or the office designated in the ~~mail ballot~~ ELECTION plan filed with the secretary of state.

(4) (b) (I) The eligible elector may:

(A) Return the marked ballot to the county clerk and recorder or designated election official by United States mail or by depositing the ballot at the office of the county clerk and recorder or designated election official or any voter service and polling center or drop-off location designated by the county clerk and recorder or designated election official as specified in the ~~mail ballot~~ ELECTION plan filed with the secretary of state. The ballot must be returned in the return envelope.

SECTION 6. In Colorado Revised Statutes, **amend** 1-12-111.5 as follows:

1-12-111.5. Nonpartisan recall election plan. (1) If a nonpartisan recall election is to be conducted by mail ballot, the

designated election official shall submit a written ~~mail ballot~~ ELECTION plan to the secretary of state in accordance with section 1-7.5-105 no later than five calendar days after calling the election.

(2) The secretary of state shall approve or disapprove a recall ~~mail ballot~~ ELECTION plan within five calendar days after receiving the plan and shall provide written notice to the designated election official.

SECTION 7. In Colorado Revised Statutes, 1-12-114, **amend** (1) and (2)(b) as follows:

1-12-114. Mail ballots - plan required - voter service and polling centers - number required - definition. (1) (a) Notwithstanding section 1-7.5-107 (1), as soon as practicable after the date that the designated election official certifies the recall question to the ballot under section 1-12-108 (8)(c)(II), the county clerk and recorder or designated election official administering a recall election shall submit to the secretary of state, for approval within twenty-four hours after receipt, a proposed ~~mail ballot~~ election plan, including the manner in and date by which the mail ballot transmission deadline set forth in subsection (2) of this section will be met. If the secretary of state does not provide written notice of approval or disapproval of the plan within twenty-four hours, the plan is deemed approved.

(b) The secretary of state may disapprove ~~a mail ballot~~ AN ELECTION plan submitted under ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION using only the same standards used to evaluate and approve of mail ballot plans transmitted under section 1-7.5-105.

(2) Notwithstanding any provision of this code to the contrary:

(b) Not later than the fifteenth day before the last day on which voted mail ballots may be returned by electors other than covered voters under article 8.3 of this ~~title~~ TITLE 1, the designated election official shall mail ballots to eligible electors in accordance with the ~~mail ballot~~ ELECTION plan developed pursuant to subsection (1) of this section.

SECTION 8. In Colorado Revised Statutes, 22-32-109, **amend** (1) introductory portion; and **add** (1)(n)(I)(C) as follows:

22-32-109. Board of education - specific duties. (1) In addition to any other duty required to be performed by law, each board of education shall ~~have and~~ perform the following specific duties:

(n) (II) (C) FOR ANY YEAR IN WHICH A GENERAL ELECTION, AS THAT TERM IS DEFINED IN SECTION 1-1-104 (17), IS HELD, THE BOARD OF EDUCATION, DISTRICT ADMINISTRATION, OR COMBINATION THEREOF, AS APPLICABLE, MAY TAKE INTO ACCOUNT AND CONSULT WITH THE COUNTY CLERK AND RECORDER REGARDING WHETHER ANY SCHOOLS CAN BE DESIGNATED AS LOCATIONS FOR VOTER SERVICE AND POLLING CENTERS UNDER SECTION 1-5-102.9.

SECTION 9. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to elections conducted on or after the applicable effective date of this act.".

Page 1, strike line 103 and substitute "**ELECTIONS, AND, IN CONNECTION THEREWITH, ADJUSTING REQUIREMENTS AND REALLOCATING RESOURCES AS A RESULT OF SAVINGS FROM THOSE REDUCTIONS.**".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1102** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Engrossed: SB17-184.
Correctly Revised: HB17-1015, 1023, 1039, 1071, and 1142; HJR17-1014, 1016, and 1017.
Correctly Rerevised: HB17-1096 and 1140.

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

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

HB17-1015 by Representative(s) Hooton; also Senator(s) Cooke--Concerning clarifying the manner in which reductions of inmates' sentences are administered in county jails.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Fenberg, Grantham, Martinez Humenik, Merrifield, Moreno, and Tate.

HB17-1023 by Representative(s) Kraft-Tharp and Wist; also Senator(s) Court and Holbert--Concerning a clarification of procedures for subpoenas for deceptive trade practices.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Gardner, Kagan, Martinez Humenik, Merrifield, Moreno, Scott, and Tate.

HB17-1039 by Representative(s) Lee; also Senator(s) Kagan--Concerning communication issues related to restorative justice.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Court, Fenberg, Fields, Jones, Kefalas, Kerr, Merrifield, Tate, Todd, Williams A., and Zenzinger.

HB17-1071 by Representative(s) Wist and Lee; also Senator(s) Gardner and Kagan--Concerning a process for repayment of certain criminal monetary amounts ordered by the court to be paid following conviction.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Court, Crowder, Fenberg, Fields, Garcia, Jahn, Jones, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Smallwood, Tate, Todd, Williams A., and Zenzinger.

HB17-1142 by Representative(s) Jackson; also Senator(s) Gardner--Concerning notices of certain court proceedings.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Kagan, Martinez Humenik, Moreno, Priola, and Tate.

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:

SB17-184 by Senator(s) Gardner; also Representative(s) Pabon--Concerning measures to define lawful consumption of marijuana.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Guzman.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

HB17-1133 by Representative(s) Nordberg and Hooton, Arndt, Thurlow; also Senator(s) Tate and Moreno, Kerr, Martinez Humenik--Concerning the annual report on filing-office rules by the secretary of state.

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

SB17-078 by Senator(s) Gardner; also Representative(s) Melton and Van Winkle--Concerning the property taxation of a residential storage condominium unit.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, January 27, page 81 and placed in members' bill files.)

As amended, laid over until Friday, March 10, retaining its place on the calendar.

SB17-148 by Senator(s) Priola, Kerr; also Representative(s) Garnett--Concerning the continuation of the office of boxing in the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 15, page 219 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 7, page 364 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 Hill, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-148 as amended, HB17-1133.
Laid over until Friday, March 10: SB17-078 as amended.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-011 by Senator(s) Lambert, Lundberg; also Representative(s) Lawrence, Hamner, Rankin, Young--Concerning the creation of a technical demonstration forum to study solutions to improve transportation access for people with disabilities.

Senator Lambert moved that the Senate concur in House amendments to **SB17-011**, as printed in House journal, March 7, page 405. The motion was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

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

MESSAGE FROM THE GOVERNOR

March 8, 2017

Senate
71st General Assembly
State Capitol
Denver, Colorado 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-013: CONCERNING AUTHORIZATION OF THE BOARD OF DIRECTORS OF THE FIRE AND POLICE PENSION ASSOCIATION TO DEVELOP A MULTI-EMPLOYER DEFERRED COMPENSATION PLAN DOCUMENT.

Approved March 8, 2017 at 12:01pm

SB17-020: CONCERNING THE ESTABLISHMENT OF A UNIFORM APPROVAL STANDARD FOR FIRE AND POLICE PENSION ASSOCIATION STATEWIDE PLAN ELECTIONS.

Approved March 8, 2017 at 12:29pm

SB17-058: CONCERNING THE AUTHORITY OF CERTAIN INDIVIDUALS TO PURCHASE ALCOHOL BEVERAGES FOR A PREMISES LICENSED TO SELL ALCOHOL BEVERAGES FOR CONSUMPTION ON THE LICENSED PREMISES.

Approved March 8, 2017 at 12:29pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB17-1006, HB17-1014, HB17-1032, HB17-1050, HB17-1054.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

March 9, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1081.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1104, amended as printed in House Journal, March 8, 2017.
HB17-1116, amended as printed in House Journal, March 8, 2017.
HB17-1181, amended as printed in House Journal, March 8, 2017.

HB17-1184, amended as printed in House Journal, March 8, 2017.
HB17-1187, amended as printed in House Journal, March 8, 2017.
HB17-1115, amended as printed in House Journal, March 8, 2017.

The House has passed on Third Reading and returns herewith SB17-008, 196, 197.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-060, amended as printed in House Journal, March 8, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

March 8, 2017

We herewith transmit:

Without comment, HB17-1081.
Without comment, as amended, HB17-1104, 1115, 1116, 1181, 1184, and 1187.
Without comment, as amended, SB17-060.

INTRODUCTION OF RESOLUTIONS

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

SJR17-015 by Senator(s) Kefalas and Gardner; also Representative(s) Lee and Willett--Concerning recognition of October as Conflict Resolution Month in Colorado.

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

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, March 10, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

59th Legislative Day — Friday, March 10, 2017

Prayer — By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

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

Roll Call — Present--34
Absent--1, Tate.
Present later--1, Tate.

Quorum — The President announced a quorum present.

Pledge — By Senator Zenzinger.

Reading of the Journal — On motion of Senator Kagan, reading of the Journal of Thursday, March 9, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-015 by Senator(s) Kefalas and Gardner; also Representative(s) Lee and Willett--Concerning recognition of October as Conflict Resolution Month in Colorado.

On motion of Senator Kefalas, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

COMMITTEE OF REFERENCE REPORTS

Health & Human Services

The Committee on Health & Human Services 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 COMMISSION ON THE AGING

for term expiring July 1, 2020:

Jane McLean Barnes of Lakewood, Colorado, to serve as a Republican from the Seventh Congressional District, appointed.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB17-202** be referred to the Committee on Appropriations with favorable recommendation.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB17-1148** be referred to the Committee of the Whole with favorable recommendation.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB17-1076** be referred to the Committee of the Whole with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB17-1012** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB17-1130** be postponed indefinitely.

Education

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR
WESTERN STATE COLORADO UNIVERSITY

for terms expiring December 31, 2020:

Nancy Ellen Chisholm of Lakewood, Colorado, a Republican, reappointed;

Keith Daniel Kennedy of Monument, Colorado, a Republican, appointed.

Education

The Committee on Education 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
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

effective December 31, 2016 for a term expiring December 31, 2020:

Dianne Arlene Pacheco-Van Voorhees of Arvada, Colorado, to serve as a Democrat, appointed.

Education After consideration on the merits, the Committee recommends that **HB17-1180** 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: SJR17-015.
Correctly Engrossed: SB17-148.
Correctly Reengrossed: SB17-184.
Correctly Revised: HB17-1133.
Correctly Rerevised: HB17-1015, 1023, 1039, 1071, and 1142.
Correctly Enrolled: SB17-008, 011, 196, and 197.

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:

HB17-1133 by Representative(s) Nordberg and Hooton, Arndt, Thurlow; also Senator(s) Tate and Moreno, Kerr, Martinez Humenik--Concerning the annual report on filing-office rules by the secretary of state.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder.

SB17-148 by Senator(s) Priola, Kerr; also Representative(s) Garnett--Concerning the continuation of the office of boxing in the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies and making an appropriation.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Garcia, Moreno, and Todd.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Neville was called to act as Chair.

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

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

HB17-1065 by Representative(s) Lewis; also Senator(s) Marble--Concerning a clarification of requirements governing the formation of metropolitan districts, and, in connection therewith, limiting the inclusion of agricultural land within a metropolitan district providing park and recreational services and clarifying signature requirements governing judicial approval of a petition for organization of a proposed special district.

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

HB17-1136 by Representative(s) Foote; also Senator(s) Gardner--Concerning consistent statutory language for electronic filing of taxes.

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

HB17-1107 by Representative(s) Thurlow and Bridges; also Senator(s) Martinez Humenik--Concerning the implementation of a new computer system by the division of motor vehicles to facilitate the division's administration of the operation of motor vehicles in the state.

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

HB17-1157 by Representative(s) Kraft-Tharp and Nordberg; also Senator(s) Priola--Concerning reliance by a financial institution on a certificate of trust.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Neville, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1065, HB17-1136, HB17-1107, HB17-1157.

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

Senate in recess. Senate reconvened.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB17-088 by Senator(s) Holbert and Williams A., Kefalas, Priola, Tate; also Representative(s) Hooton and Van Winkle, Landgraf, Rankin, Buckner, Liston, McKean, Melton, Nordberg--Concerning the criteria used by a health insurer to select health care providers to participate in the insurer's network of providers.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 14, page(s) 204-205 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, February 28, page 306 and placed in members' bill files.)

Amendment No. 3(L.013), by Senators Holbert and Williams A.

Strike the Business, Labor, and Technology Committee Report, dated February 13, 2017.

Strike the Appropriations Committee Report, dated February 28, 2017.

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

"**SECTION 1.** In Colorado Revised Statutes, **add** 10-16-705.5 as follows:

10-16-705.5. Participating provider networks - definition - selection standards - informal reconsideration - enforcement - legislative declaration. (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) CARRIERS CREATE NETWORKS OF PROVIDERS THAT ENSURE CONSUMERS HAVE ACCESS TO AN ADEQUATE NUMBER OF PROVIDERS TO MEET THEIR NEEDS;

(b) IN THE CURRENT MARKETPLACE, CARRIERS OFFER CONSUMERS A MULTITUDE OF PLAN OPTIONS, SOME OF WHICH INCLUDE A LIMITED PROVIDER NETWORK THAT MAY RESULT IN A SMALLER NUMBER OF PARTICIPATING PROVIDERS FROM WHICH TO CHOOSE;

(c) LIMITED PROVIDER NETWORKS ALLOW CARRIERS AND PROVIDERS TO WORK TOGETHER TO IMPROVE THE QUALITY OF CARE AND CONTROL THE ASSOCIATED COSTS ON BEHALF OF CONSUMERS;

(d) TRANSPARENCY IN THE MARKET PROVIDES CONSUMERS, PAYERS, AND PROVIDERS WITH INFORMATION NECESSARY TO MAKE INFORMED DECISIONS ABOUT HEALTH CARE CHOICES; AND

(e) TO ENSURE THAT CONSUMERS HAVE SUFFICIENT ACCESS TO CARE AND APPROPRIATE, TRANSPARENT INFORMATION TO MAKE DECISIONS RELATED TO THEIR HEALTH CARE, CARRIERS SHOULD:

(I) DISCLOSE THE STANDARDS USED TO CONSTRUCT THEIR PARTICIPATING PROVIDER NETWORKS TO THE COMMISSIONER, PROVIDERS, AND CONSUMERS; AND

(II) PROVIDE A PROCESS FOR EXISTING PARTICIPATING PROVIDERS TO SEEK RECONSIDERATION OF A CARRIER'S DECISION TO CHANGE PARTICIPATION IN A CARRIER'S NETWORK, INCLUDING TIERING OF A NETWORK.

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

(a) "HIGH-RISK POPULATION" MEANS A POPULATION PRESENTING A RISK OF HIGHER-THAN-AVERAGE NUMBERS OF CLAIMS, LOSSES, OR HEALTH CARE UTILIZATION RATES.

(b) "TIERED NETWORK" MEANS A NETWORK THAT IDENTIFIES AND ASSIGNS SOME OR ALL TYPES OF PROVIDERS AND FACILITIES INTO SPECIFIC GROUPS TO WHICH DIFFERENT PROVIDER REIMBURSEMENT, COVERED PERSON COST-SHARING, OR PROVIDER ACCESS REQUIREMENTS, OR ANY COMBINATION OF REIMBURSEMENT, COST-SHARING, AND ACCESS REQUIREMENTS, APPLY FOR THE SAME SERVICE.

(3) (a) A CARRIER SHALL DEVELOP STANDARDS FOR THE SELECTION OF PROVIDERS IN THE CARRIER'S PARTICIPATING PROVIDER NETWORK, INCLUDING THE SELECTION OF PROVIDERS IN EACH HEALTH CARE SPECIALTY. IF THE CARRIER OFFERS A TIERED NETWORK, THE CARRIER SHALL DEVELOP STANDARDS FOR TIERING PARTICIPATING PROVIDERS WITHIN THE TIERED NETWORK.

(b) THE CARRIER AND THE CARRIER'S INTERMEDIARY SHALL USE THE STANDARDS DEVELOPED PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION IN SELECTING AND TIERING PROVIDERS.

(c) (I) A CARRIER SHALL NOT ESTABLISH SELECTION AND TIERING CRITERIA IN A MANNER THAT WOULD:

(A) ALLOW A CARRIER TO DISCRIMINATE AGAINST HIGH-RISK POPULATIONS BY EXCLUDING OR TIERING PROVIDERS BASED ON THEIR LOCATION IN A GEOGRAPHIC AREA THAT CONTAINS HIGH-RISK POPULATIONS; OR

(B) EXCLUDE PROVIDERS BECAUSE THEY TREAT OR SPECIALIZE IN TREATING HIGH-RISK POPULATIONS.

(II) NOTHING IN THIS SUBSECTION (3)(c) PROHIBITS A CARRIER FROM OFFERING SPECIFIC NETWORKS OR PRODUCTS THAT ARE LIMITED TO DESIGNATED SERVICE AREAS.

(d) A CARRIER SHALL MAKE ALL APPLICABLE STANDARDS USED FOR SELECTING AND TIERING AVAILABLE FOR REVIEW BY THE COMMISSIONER AND SHALL COMMUNICATE THE STANDARDS TO PROVIDERS THAT ARE PARTICIPATING IN ONE OR MORE OF ITS NETWORKS. ADDITIONALLY, A CARRIER SHALL MAKE A DESCRIPTION OF ITS STANDARDS, IN PLAIN LANGUAGE, AVAILABLE TO THE PUBLIC.

(4) UPON REQUEST, AND NOT MORE OFTEN THAN QUARTERLY, A CARRIER SHALL PROVIDE A PROVIDER THAT IS PARTICIPATING IN ONE OR MORE OF ITS NETWORKS WITH A COMPLETE LIST OF ALL NETWORK PLANS AND PRODUCTS THE CARRIER OFFERS TO CONSUMERS, WITH AN INDICATION OF THE PROVIDER'S PARTICIPATION STATUS WITHIN EACH NETWORK PLAN OR PRODUCT. THE CARRIER SHALL RESPOND TO A PROVIDER'S REQUEST WITHIN THIRTY DAYS AFTER IT RECEIVES THE REQUEST.

(5) (a) A CARRIER SHALL NEITHER TERMINATE A PARTICIPATING PROVIDER NOR PLACE A PARTICIPATING PROVIDER IN A TIERED NETWORK WITHOUT FIRST COMPLYING WITH THE REQUIREMENTS OF THIS SUBSECTION (5).

(b) AT LEAST SIXTY DAYS BEFORE TERMINATING OR PLACING A PARTICIPATING PROVIDER IN A TIERED NETWORK, THE CARRIER SHALL SEND A WRITTEN NOTICE TO THE PARTICIPATING PROVIDER INFORMING THE PARTICIPATING PROVIDER OF THE PENDING ACTION. THE NOTICE MUST:

(I) CONTAIN AN EXPLANATION OF THE REASONS FOR THE PROPOSED ACTION IN SUFFICIENT DETAIL TO ENABLE THE PARTICIPATING PROVIDER TO CHALLENGE THE PROPOSED ACTION, REFERENCING THE RELEVANT INFORMATION THE CARRIER IS RELYING ON FOR THE DETERMINATION;

(II) INFORM THE PARTICIPATING PROVIDER OF THE OPPORTUNITY TO REQUEST THE CARRIER TO RECONSIDER THE PENDING ACTION AND THE PERIOD FOR COMPLETING THE INFORMAL RECONSIDERATION PROCESS; AND

(III) INFORM THE PARTICIPATING PROVIDER OF THE CARRIER'S ABILITY TO RESCIND THE PENDING ACTION.

(c) A CARRIER SHALL ESTABLISH PROCEDURES FOR A PARTICIPATING PROVIDER TO REQUEST A CARRIER TO RECONSIDER ITS DECISION TO TERMINATE THE PARTICIPATING PROVIDER OR PLACE THE PARTICIPATING PROVIDER IN A TIERED NETWORK. THE PROCEDURES MUST INCLUDE:

(I) A REASONABLE METHOD BY WHICH THE PARTICIPATING

PROVIDER MAY SUBMIT A REQUEST FOR THE CARRIER TO RECONSIDER A PROPOSED PENDING ACTION, INCLUDING THE NAME OF THE PERSON OR DIVISION TO WHOM OR TO WHICH THE PARTICIPATING PROVIDER IS TO SUBMIT THE REQUEST; AND

(II) AN OPPORTUNITY TO SUBMIT OR HAVE THE CARRIER CONSIDER EVIDENCE THAT MAY CORRECT INFORMATION RELEVANT TO THE PENDING ACTION.

(d) THE CARRIER SHALL COMPLETE THE INFORMAL RECONSIDERATION PROCESS WITHIN FORTY-FIVE DAYS AFTER THE DATE THE CARRIER RECEIVED THE REQUEST FOR RECONSIDERATION FROM THE PARTICIPATING PROVIDER UNLESS THE CARRIER AND PARTICIPATING PROVIDER AGREE TO AN ALTERNATIVE DEADLINE TO COMPLETE THE INFORMAL RECONSIDERATION PROCESS.

(e) A CARRIER SHALL NOT IMPLEMENT THE PENDING ACTION SPECIFIC TO THE PARTICIPATING PROVIDER THAT IS THE SUBJECT OF A REQUEST FOR RECONSIDERATION UNTIL THE CARRIER ISSUES A FINAL DECISION TO GRANT OR DENY THE REQUEST TO RECONSIDER THE PENDING ACTION.

(6) WHEN A CARRIER DOES NOT SELECT A PROVIDER TO PARTICIPATE IN THE CARRIER'S PARTICIPATING PROVIDER NETWORK, THE CARRIER SHALL PROVIDE A WRITTEN NOTIFICATION TO THE PROVIDER. THE CARRIER IS NOT REQUIRED TO PROVIDE AN OPPORTUNITY FOR RECONSIDERATION TO A PROVIDER WHO IS NOT PARTICIPATING IN ANY OF THE CARRIER'S PARTICIPATING PROVIDER NETWORKS.

(7) THIS SECTION DOES NOT:

(a) PROHIBIT A CARRIER FROM DECLINING TO SELECT A PROVIDER WHO FAILS TO MEET OTHER LEGITIMATE SELECTION CRITERIA DEVELOPED BY THE CARRIER IN COMPLIANCE WITH THIS SECTION;

(b) PROHIBIT A CARRIER FROM CREATING AN EXCLUSIVE PROVIDER NETWORK; OR

(c) REQUIRE A CARRIER TO CONTRACT WITH ANY PROVIDER WHO IS WILLING TO ABIDE BY THE TERMS AND CONDITIONS FOR PARTICIPATION ESTABLISHED BY THE CARRIER.

(8) (a) IF THE COMMISSIONER DETERMINES THAT A CARRIER HAS NOT COMPLIED WITH THIS SECTION, THE COMMISSIONER SHALL REQUIRE A CORRECTIVE ACTION PLAN THAT THE CARRIER MUST FOLLOW. THE COMMISSIONER MAY USE ALL ENFORCEMENT POWERS UNDER THIS TITLE 10 TO OBTAIN COMPLIANCE BY THE CARRIER.

(b) THE COMMISSIONER AND THE COMMISSIONER'S STAFF SHALL NOT ARBITRATE, MEDIATE, OR SETTLE DISPUTES REGARDING A DECISION NOT TO INCLUDE A PROVIDER IN A NETWORK OR TIERED NETWORK OR REGARDING ANY DISPUTE BETWEEN A CARRIER, THE CARRIER'S INTERMEDIARY, OR ONE OR MORE PROVIDERS ARISING UNDER OR BY REASON OF A PROVIDER CONTRACT OR ITS TERMINATION.

SECTION 2. Appropriation. For the 2017-18 state fiscal year, $42,006 is appropriated to the department of regulatory agencies for use by the division of insurance. This appropriation is from the division of insurance cash fund created in section 10-1-103 (3), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) $36,828 for personal services, which is based on an assumption that the division will require an additional 0.5 FTE; and

(b) $5,178 for operating expenses and capital outlay costs.

SECTION 3. Act subject to petition - effective date - applicability. (1) This act takes effect January 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to contracts issued or renewed on or after the applicable effective date of this act.".

Page 1, line 103, strike "**PROVIDERS.**" and substitute "**PROVIDERS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

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

SB17-061 by Senator(s) Hill and Williams A.; also Representative(s) Sias--Concerning distribution of additional operational funding to charter schools.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 16, page 229 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, February 28, page 306 and placed in members' bill files.)

Amendment No. 3(L.020), by Senators Williams A. and Hill.

Amend printed bill, page 5, line 1, strike "IF THE".

Page 5, strike lines 2 through 4.

Page 5, line 5, strike "SUBSECTION (2)(a) OF THIS SECTION.".

Amendment No. 4(L.027), by Senator Williams A.

Amend printed bill, page 3, strike lines 4 and 5 and substitute:

"(2) (a) IN ACCORDANCE WITH THE SCHEDULE DESCRIBED IN SUBSECTION (4) OF THIS SECTION, EACH SCHOOL DISTRICT THAT AUTHORIZES A CHARTER".

Page 5, after line 24 insert:

"(4) (a) BEGINNING IN THE 2018-19 BUDGET YEAR, EACH SCHOOL DISTRICT THAT AUTHORIZES A CHARTER SCHOOL SHALL DISTRIBUTE THE PER PUPIL MILL LEVY SHARE TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION; EXCEPT THAT:

(I) FOR THE 2018-19 BUDGET YEAR, THE SCHOOL DISTRICT SHALL CALCULATE THE PER PUPIL MILL LEVY SHARE BASED ON AT LEAST THIRTY-THREE PERCENT OF THE ADDITIONAL MILL LEVY REVENUE IT COLLECTS FOR THE 2018-19 BUDGET YEAR;

(II) FOR THE 2019-20 BUDGET YEAR, THE SCHOOL DISTRICT SHALL CALCULATE THE PER PUPIL MILL LEVY SHARE BASED ON AT LEAST SIXTY-SIX PERCENT OF THE ADDITIONAL MILL LEVY REVENUE IT COLLECTS FOR THE 2019-20 BUDGET YEAR; AND

(III) FOR THE 2020-21 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, THE SCHOOL DISTRICT SHALL CALCULATE THE PER PUPIL MILL LEVY SHARE BASED ON ONE HUNDRED PERCENT OF THE ADDITIONAL MILL LEVY REVENUE IT COLLECTS FOR EACH APPLICABLE BUDGET YEAR.

(b) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (4)(a) OF THIS SECTION, IF, FOR THE 2016-17 BUDGET YEAR, A SCHOOL DISTRICT DISTRIBUTES TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT AN AMOUNT OF THE SCHOOL DISTRICT'S ADDITIONAL MILL LEVY REVENUE THAT IS GREATER THAN THE AMOUNT REQUIRED IN SUBSECTION (4)(a)(I) OF THIS SECTION FOR THE 2018-19 BUDGET YEAR, THE LOCAL SCHOOL BOARD SHALL DISTRIBUTE TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT FOR THE 2018-19 BUDGET YEAR AT LEAST THE AMOUNT DISTRIBUTED IN THE 2016-17 BUDGET YEAR, ALLOCATED AS PROVIDED IN SUBSECTION (2) OF THIS SECTION.

(c) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (4)(a) OF THIS SECTION, IF, FOR THE 2016-17 BUDGET YEAR, A SCHOOL DISTRICT DISTRIBUTES TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT AN AMOUNT OF THE SCHOOL DISTRICT'S ADDITIONAL MILL LEVY REVENUE THAT IS GREATER THAN THE AMOUNT REQUIRED IN SUBSECTION (4)(a)(II) OF THIS SECTION FOR THE 2019-20 BUDGET YEAR, THE LOCAL SCHOOL BOARD SHALL DISTRIBUTE TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT FOR THE 2019-20 BUDGET YEAR AT LEAST THE AMOUNT DISTRIBUTED IN THE 2016-17 BUDGET YEAR, ALLOCATED AS PROVIDED IN SUBSECTION (2) OF THIS SECTION.".

Amendment No. 5(L.026), by Senators Moreno and Fields.

Amend printed bill, page 3, strike lines 4 and 5 and substitute:

"(2) (a) SUBJECT TO THE PROVISIONS OF SUBSECTIONS (4) AND (5) OF THIS SECTION, EACH SCHOOL DISTRICT THAT AUTHORIZES A CHARTER".

Page 5, after line 24 insert:

"(4) (a) BEGINNING IN THE 2018-19 BUDGET YEAR, EACH SCHOOL DISTRICT SHALL DISTRIBUTE THE PER PUPIL MILL LEVY SHARE TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION; EXCEPT THAT:

(I) FOR THE 2018-19 BUDGET YEAR, THE SCHOOL DISTRICT SHALL CALCULATE THE PER PUPIL MILL LEVY SHARE BASED ON AT LEAST THIRTY-THREE PERCENT OF THE ADDITIONAL MILL LEVY REVENUE IT COLLECTS FOR THE 2018-19 BUDGET YEAR;

(II) FOR THE 2019-20 BUDGET YEAR, THE SCHOOL DISTRICT SHALL CALCULATE THE PER PUPIL MILL LEVY SHARE BASED ON AT LEAST SIXTY-SIX PERCENT OF THE ADDITIONAL MILL LEVY REVENUE IT COLLECTS FOR THE 2019-20 BUDGET YEAR; AND

(III) FOR THE 2020-21 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, THE SCHOOL DISTRICT SHALL CALCULATE THE PER PUPIL MILL LEVY SHARE BASED ON ONE HUNDRED PERCENT OF THE ADDITIONAL MILL LEVY REVENUE IT COLLECTS FOR EACH APPLICABLE BUDGET YEAR.

(b) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (4)(a) OF THIS SECTION, IF, FOR THE 2016-17 BUDGET YEAR, A SCHOOL DISTRICT DISTRIBUTES TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT AN AMOUNT OF THE SCHOOL DISTRICT'S ADDITIONAL MILL LEVY REVENUE THAT IS GREATER THAN THE AMOUNT REQUIRED IN SUBSECTION (4)(a)(I) OF THIS SECTION FOR THE 2018-19 BUDGET YEAR, THE LOCAL SCHOOL BOARD SHALL DISTRIBUTE TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT FOR THE 2018-19 BUDGET YEAR AT LEAST THE AMOUNT DISTRIBUTED IN THE 2016-17 BUDGET YEAR, ALLOCATED AS PROVIDED IN SUBSECTION (2) OF THIS SECTION.

(c) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (4)(a) OF THIS SECTION, IF, FOR THE 2016-17 BUDGET YEAR, A SCHOOL DISTRICT DISTRIBUTES TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT AN AMOUNT OF THE SCHOOL DISTRICT'S ADDITIONAL MILL LEVY REVENUE THAT IS GREATER THAN THE AMOUNT REQUIRED IN SUBSECTION (4)(a)(II) OF THIS SECTION FOR THE 2019-20 BUDGET YEAR, THE LOCAL SCHOOL BOARD SHALL DISTRIBUTE TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT FOR THE 2019-20 BUDGET YEAR AT LEAST THE AMOUNT DISTRIBUTED IN THE 2016-17 BUDGET YEAR, ALLOCATED AS PROVIDED IN SUBSECTION (2) OF THIS SECTION.

(5) (a) A LOCAL SCHOOL BOARD MAY SUBMIT TO THE ELIGIBLE ELECTORS OF THE SCHOOL DISTRICT AT THE NEXT REGULAR SCHOOL DISTRICT ELECTION AFTER THE EFFECTIVE DATE OF THIS SECTION THE FOLLOWING BALLOT QUESTION: "SHALL THE SCHOOL DISTRICT BOARD OF EDUCATION FOR [NAME OF SCHOOL DISTRICT] USE THE PROPERTY TAX REVENUE COLLECTED FROM NON-DEBT-RELATED MILL LEVIES AUTHORIZED BEFORE JULY 1, 2017, WITHOUT CHANGE TO ANY PURPOSE FOR WHICH SUCH REVENUE WAS ORIGINALLY AUTHORIZED BY THE VOTERS, TO SUPPORT THE STUDENTS ENROLLED IN THE PUBLIC SCHOOLS OF THE SCHOOL DISTRICT, INCLUDING THE CHARTER SCHOOLS AUTHORIZED BY THE SCHOOL DISTRICT, IN ACCORDANCE WITH SECTION 22-30.5-112.4, COLORADO REVISED STATUTES?".

(b) IF A MAJORITY OF THE PERSONS VOTING IN THE SCHOOL DISTRICT ELECTION VOTE "NO" ON THE BALLOT QUESTION SPECIFIED IN SUBSECTION (5)(a) OF THIS SECTION, NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE LOCAL SCHOOL BOARD MAY, BUT IS NOT REQUIRED TO, DISTRIBUTE A PORTION OF THE SCHOOL DISTRICT'S REVENUE FROM ADDITIONAL MILL LEVIES THAT WERE APPROVED BEFORE JULY 1, 2017, TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT AS THE LOCAL SCHOOL BOARD MAY PROVIDE.

(c) IF A MAJORITY OF THE PERSONS VOTING IN THE SCHOOL DISTRICT ELECTION VOTE "YES" ON THE BALLOT QUESTION SPECIFIED IN SUBSECTION (5)(a) OF THIS SECTION, THE LOCAL SCHOOL BOARD SHALL DISTRIBUTE A PORTION OF THE SCHOOL DISTRICT'S ADDITIONAL MILL LEVY REVENUE TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT IN ACCORDANCE WITH SUBSECTIONS (2) AND (4) OF THIS SECTION.

(d) EACH LOCAL SCHOOL BOARD SHALL DISTRIBUTE TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT AS PROVIDED IN SUBSECTIONS (2) AND (4) OF THIS SECTION A PORTION OF THE REVENUE

FROM ADDITIONAL MILL LEVIES APPROVED ON OR AFTER JULY 1, 2017, REGARDLESS OF WHETHER THE LOCAL SCHOOL BOARD SUBMITS A BALLOT QUESTION TO THE ELIGIBLE ELECTORS OF THE SCHOOL DISTRICT AT THE NEXT REGULAR SCHOOL DISTRICT ELECTION AFTER THE EFFECTIVE DATE OF THIS SECTION AS PROVIDED IN SUBSECTION (5)(a) OF THIS SECTION AND REGARDLESS OF THE OUTCOME OF THAT ELECTION.".

As amended, laid over until Monday, March 13, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (SB17-078 as amended, SB17-181, SB17-182, SB17-191) of Friday, March 10, was laid over until Monday, March 13, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Neville, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-088 as amended
Laid over until Monday, March 13: SB17-061 as amended, SB17-078 as amended, SB17-181, SB17-182, SB17-191.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-060 by Senator(s) Todd, Martinez Humenik; also Representative(s) Wilson--Concerning relocation of the Colorado student leaders institute from the office of the lieutenant governor to the department of higher education, and, in connection therewith, making and reducing an appropriation.

Senator Todd moved that the Senate concur in House amendments to **SB17-060**, as printed in House journal, March 8, page 445. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

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

MEMBER OF THE
COLORADO BANKING BOARD

for a term expiring July 1, 2020:

Jonathan Randall Fox of Fowler, Colorado, to serve as a representative of bankers, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

COMMITTEE OF REFERENCE REPORTS (cont'd)

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy 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:

EXECUTIVE DIRECTOR
COLORADO DEPARTMENT OF NATURAL RESOURCES

effective immediately for a term expiring at the pleasure of the Governor:

Robert W. Randall of Denver, Colorado, and occasioned by the resignation of Mike King of Parker, Colorado, appointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
PARKS AND WILDLIFE COMMISSION

for terms expiring July 1, 2020:

Robert William Bray of Redvale, Colorado, as a representative of agriculture and west of the Continental Divide, reappointed;

Michelle Zimmerman of Breckenridge, Colorado, as a representative of a non-profit organization that promotes conservation and recognizes non-consumptive wildlife use, and west of the Continental Divide, reappointed;

Hon. James Vigil of Trinidad, Colorado, as a representative of agriculture, reappointed.

MESSAGE FROM THE HOUSE

March 10, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1197, amended as printed in House Journal, March 9, 2017.

The House has passed on Third Reading and returns herewith SB17-041, 109.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-073, amended as printed in House Journal, March 9, 2017.
SB17-100, amended as printed in House Journal, March 9, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

March 10, 2017

We herewith transmit:

Without comment, as amended, HB17-1197.
Without comment, as amended, SB17-073 and 100.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

March 10, 2017

Mr. President:

The House has adopted and returns herewith SJR17-015.

INTRODUCTION OF RESOLUTIONS

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

SJR17-016 by Senator(s) Crowder, Baumgardner, Kefalas, Sonnenberg; also Representative(s) Thurlow, Becker K., Esgar, Hansen--Concerning the installation of a sculpture and explanatory plaque to memorialize the victims of the Sand Creek Massacre of November 29, 1864, on the State Capitol grounds.

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

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR17-014.

INTRODUCTION OF BILLS -- FIRST READING

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

SB17-214 by Senator(s) Smallwood and Garcia; also Representative(s) Exum and Pettersen, Esgar, Pabon--Concerning the creation of the voluntary firefighter cancer benefits program.
Business, Labor, & Technology

SB17-215 by Senator(s) Priola; also Representative(s) Gray--Concerning the continuation under the sunset law of the division of real estate, and, in connection therewith, implementing the recommendations contained in the sunset report prepared by the department of regulatory agencies.
Business, Labor, & Technology

SB17-216 by Senator(s) Gardner; also Representative(s) Becker K. and Lontine--Concerning continuation of the regulation of collection agencies under the "Colorado Fair Debt Collection Practices Act", and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies.
Judiciary

SB17-217 by Senator(s) Garcia; also Representative(s) Michaelson Jenet--Concerning the continuation of the board of commissioners of veterans community living centers.
State, Veterans, & Military Affairs

SB17-218 by Senator(s) Kerr and Tate; also Representative(s) Kennedy--Concerning the continuation of the regulation of landscape architects by the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the recommendations contained in the sunset report prepared by the department of regulatory agencies.
Business, Labor, & Technology

SB17-219 by Senator(s) Garcia and Hill, Court, Fenberg; also Representative(s) Lontine--Concerning the continuation of the local advisory boards for veterans community living centers.
State, Veterans, & Military Affairs

SB17-220 by Senator(s) Court, Fenberg, Cooke, Kerr, Merrifield; also Representative(s) Arndt--Concerning the continuation of the restorative justice coordinating council.
State, Veterans, & Military Affairs

SB17-221 by Senator(s) Court; also Representative(s) Melton--Concerning the continuation of the court security cash fund commission.
State, Veterans, & Military Affairs

SB17-222 by Senator(s) Cooke, Gardner, Guzman, Holbert, Kagan; also Representative(s) Willett, Foote, Herod, Lee, Wist--Concerning the nonsubstantive relocation of the laws related to fireworks from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

SB17-223 by Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan; also Representative(s) Herod, Foote, Lee, Willett, Wist--Concerning the nonsubstantive relocation of laws related to the treatment of human bodies after death from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

SB17-224 by Senator(s) Kagan, Cooke, Gardner, Guzman, Holbert; also Representative(s) Lee, Foote, Herod, Willett, Wist--Concerning the nonsubstantive relocation of laws related to commercial driving schools from title 12 of the Colorado Revised Statutes as part of the organizational recodification of title 12.
Judiciary

SB17-225 by Senator(s) Cooke, Gardner, Guzman, Holbert, Kagan; also Representative(s) Willett, Foote, Herod, Lee, Wist--Concerning the nonsubstantive relocation of laws related to farm products from title 12 of the Colorado Revised Statutes as part of the organizational recodification of title 12.
Judiciary

SB17-226 by Senator(s) Kagan, Cooke, Gardner, Guzman, Holbert; also Representative(s) Foote, Herod, Lee, Willett, Wist--Concerning the nonsubstantive relocation of laws related to the regulation of financial institutions from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

SB17-227 by Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan; also Representative(s) Foote, Herod, Lee, Willett, Wist--Concerning the nonsubstantive relocation of laws related to attorneys-at-law from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

SB17-228 by Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan; also Representative(s) Wist, Foote, Herod, Lee, Willett--Concerning the nonsubstantive relocation of the laws related to licenses granted by local governments from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

SB17-229 by Senator(s) Holbert, Baumgardner; also Representative(s) Mitsch Bush and Lawrence, Ransom--Concerning failure to exhibit due care when passing vehicles displaying visual signals.
Judiciary

HB17-1081 by Representative(s) Nordberg; also Senator(s) Fenberg--Concerning authority to offer in-state tuition classification at state-supported institutions of higher education for athletes training in Colorado in programs approved by the United States olympic committee.
Finance

HB17-1104 by Representative(s) Navarro, Lundeen, Carver, Liston, Nordberg, Williams D.; also Senator(s) Priola, Gardner, Hill--Concerning the exclusion from state taxable income of the monetary value of any medal won by an athlete while competing for the United States of America at the olympic games, so long as the athlete's federal adjusted gross income does not exceed a specified amount.
Finance

HB17-1115 by Representative(s) Buck and Ginal, McKean; also Senator(s) Kefalas and Tate--Concerning the establishment of direct primary health care agreements to operate without regulation by the division of insurance.
Business, Labor, & Technology

HB17-1116 by Representative(s) Hamner and Exum, Becker J., Esgar, Covarrubias; also Senator(s) Martinez Humenik, Donovan, Priola--Concerning the continuation of energy-related assistance to low-income households.
Agriculture, Natural Resources, & Energy

HB17-1144 by Representative(s) Esgar, Becker J., Hansen; also Senator(s) Baumgardner, Kefalas, Sonnenberg--Concerning amendments to the automatic cash fund funding mechanism for payment of future costs attributable to certain of the state's capital assets.
Finance

HB17-1156 by Representative(s) Rosenthal; also Senator(s) Fenberg--Concerning a prohibition on conversion therapy by a licensed mental health care provider.
State, Veterans, & Military Affairs

HB17-1181 by Representative(s) Pettersen and Lundeen, Carver, Esgar, Sias, Wilson, McLachlan, Exum, Buckner, Garnett, Lee, Bridges, Hamner, Young; also Senator(s) Priola and Todd--Concerning requiring a single statewide end-of-year assessment for students enrolled in ninth grade that is aligned with the tenth-grade state assessment, and, in connection therewith, reducing an appropriation.
Education

HB17-1183 by Representative(s) Foote; also Senator(s) Gardner--Concerning the repeal of the condition required to be satisfied for a provision of law governing the disclosure of communications with mental health professionals to take effect.
Judiciary

HB17-1184 by Representative(s) Duran; also Senator(s) Grantham--Concerning developing additional resources for modern technology education in public schools.
Education

HB17-1187 by Representative(s) Thurlow, Landgraf; also Senator(s) Crowder--Concerning a change to the growth factor in the excess state revenues cap.
State, Veterans, & Military Affairs

HB17-1193 by Representative(s) Kraft-Tharp and Becker J.; also Senator(s) Tate and Kerr--Concerning the installation of small wireless service infrastructure within a local government's jurisdiction, and, in connection therewith, clarifying that an expedited permitting process applies to small cell facilities and small cell networks and that the rights-of-way access afforded telecommunications providers extends to broadband providers and to small cell facilities and small cell networks.
Local Government

HB17-1194 by Representative(s) Foote; also Senator(s) Cooke--Concerning technical changes relating to the operation of pathways in technology early college high schools.
Education

HB17-1197 by Representative(s) Ginal; also Senator(s) Coram--Concerning the exclusion of marijuana from the definition of "farm products" with regard to regulation of farm products under the "Farm Products Act".
Agriculture, Natural Resources, & Energy

HB17-1198 by Representative(s) Gray; also Senator(s) Gardner--Concerning the authority for a special district to increase the number of board members from five to seven.
Local Government

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, March 13, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

62nd Legislative Day — Monday, March 13, 2017

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President *pro tempore* at 10:00 a.m.

Roll Call — Present--34
Excused--1, Grantham.
Present later--1, Grantham.

Quorum — The President announced a quorum present.

Pledge — By Senator Fenberg.

Reading of the Journal — On motion of Senator Moreno, reading of the Journal of Friday, March 10, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB17-214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, and 229; SJR17-016.
Correctly Engrossed: SB17-088; SJR17-015.
Correctly Reengrossed: SB17-148.
Correctly Revised: HB17-1065, 1136, 1107, and 1157.
Correctly Rerevised: HB17-1133.
Correctly Enrolled: SB17-041, 060, and 109; SJR17-014.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-016 by Senator(s) Crowder, Baumgardner, Kefalas, Sonnenberg; also Representative(s) Thurlow, Becker K., Esgar, Hansen--Concerning the installation of a sculpture and explanatory plaque to memorialize the victims of the Sand Creek Massacre of November 29, 1864, on the State Capitol grounds.

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

YES 35		NO 0		EXCUSED 0		ABSENT 0	
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Cooke, Coram, Court, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Tate, Todd, Williams A., and Zenzinger.

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

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

HB17-1065 by Representative(s) Lewis; also Senator(s) Marble--Concerning a clarification of requirements governing the formation of metropolitan districts, and, in connection therewith, limiting the inclusion of agricultural land within a metropolitan district providing park and recreational services and clarifying signature requirements governing judicial approval of a petition for organization of a proposed special district.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Crowder, Donovan, Gardner, Grantham, Jahn, Kefalas, Lambert, Lundberg, Martinez Humenik, Neville T., Scott, Smallwood, Sonnenberg, and Tate.

HB17-1136 by Representative(s) Foote; also Senator(s) Gardner--Concerning consistent statutory language for electronic filing of taxes.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Grantham, Marble, Martinez Humenik, and Neville T.

HB17-1107 by Representative(s) Thurlow and Bridges; also Senator(s) Martinez Humenik--Concerning the implementation of a new computer system by the division of motor vehicles to facilitate the division's administration of the operation of motor vehicles in the state.

Laid over until Tuesday, March 14, retaining its place on the calendar.

HB17-1157 by Representative(s) Kraft-Tharp and Nordberg; also Senator(s) Priola--Concerning reliance by a financial institution on a certificate of trust.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Martinez Humenik, Neville T., Smallwood, and Tate.

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:

SB17-088 by Senator(s) Holbert and Williams A., Kefalas, Priola, Tate; also Representative(s) Hooton and Van Winkle, Landgraf, Rankin, Buckner, Liston, McKean, Melton, Nordberg--Concerning the criteria used by a health insurer to select health care providers to participate in the insurer's network of providers, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Crowder, Gardner, Grantham, Guzman, Jahn, Jones, Martinez Humenik, and Todd.

INTRODUCTION OF BILLS -- FIRST READING

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

SB17-230 by Senator(s) Holbert and Guzman, Grantham; also Representative(s) Becker K. and Neville P., Duran--Concerning payment of expenses of the legislative department.
Appropriations

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Cooke was called to act as Chair.

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

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

HB17-1048 by Representative(s) Foote; also Senator(s) Smallwood--Concerning the prosecution of insurance fraud.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1048.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-061 by Senator(s) Hill and Williams A.; also Representative(s) Sias--Concerning distribution of additional operational funding to charter schools.

(Amended in general orders as printed in Senate journal, March 10, page(s) 404-406.)

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.)

SB17-078 by Senator(s) Gardner; also Representative(s) Melton and Van Winkle--Concerning the property taxation of a residential storage condominium unit.

(Amended in general orders as printed in Senate journal, March 9, page 393.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-181 by Senator(s) Gardner; also Representative(s) Willett--Concerning modification of the collateral-source rule in civil litigation in which a party has insurance coverage.

Laid over until Tuesday, March 14, retaining its place on the calendar.

SB17-071 by Senator(s) Tate; --Concerning reductions in early voting period requirements for voter service and polling centers used in general elections.

Laid over until Friday, March 17, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading of Bills Calendar (SB17-182, SB17-191) of Monday, March 13, was laid over until Tuesday, March 14, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB17-061 by Senator(s) Hill and Williams A.; also Representative(s) Sias--Concerning distribution of additional operational funding to charter schools.

Senator Merrifield moved to amend the Report of the Committee of the Whole to show that the following Merrifield floor amendment, (L.017) to SB17-061, did pass

Amend printed bill, page 5, after line 24 insert:

"(4) A CHARTER SCHOOL THAT RECEIVES A DISTRIBUTION PURSUANT TO THIS SECTION SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 22-32-109 (1)(b) BY ADOPTING RULES NECESSARY FOR THE EFFICIENT ADMINISTRATION OF THE AFFAIRS OF THE CHARTER SCHOOL, INCLUDING PROCEDURES FOR COMPETITIVE BIDDING IN THE PURCHASE OF GOODS AND SERVICES, EXCEPT PROFESSIONAL SERVICES, FOR THE CHARTER SCHOOL. NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, A SCHOOL DISTRICT IS NOT REQUIRED TO DISTRIBUTE TO A CHARTER SCHOOL ANY PORTION OF THE REVENUE COLLECTED FROM THE SCHOOL DISTRICT'S ADDITIONAL MILL LEVY IF THE CHARTER SCHOOL DOES NOT COMPLY WITH THE REQUIREMENTS OF SECTION 22-32-109 (1)(b).".

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 was **lost** on the following roll call vote:

YES	14	NO	21	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	N
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	N	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-061 as amended, SB17-078 as amended.
Laid over until Tuesday, March 14: SB17-181, SB17-182, SB17-191.
Laid over until Friday, March 17: SB17-071.

MESSAGE FROM THE HOUSE

March 13, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1015, as printed in House Journal, March 13, 2017.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR17-1015 by Representative(s) McLachlan; also Senator(s) Coram--Concerning the designation of Colorado State Highway 3 as the "Captain Jeff Kuss Memorial Highway".

On motion of Senator Coram, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-073 by Senator(s) Garcia; also Representative(s) Valdez--Concerning promotion of the Runyon-Fountain lakes state wildlife area.

Senator Garcia moved that the Senate concur in House amendments to **SB17-073**, as printed in House journal, March 9, page(s) 464-465. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Priola.

SB17-100 by Senator(s) Sonnenberg; also Representative(s) Landgraf and Arndt--Concerning qualified immunity for persons performing land stewardship activities on public lands.

Senator Sonnenberg moved that the Senate not concur in House amendments to **SB17-100**, as printed in House journal, March 9, page 465, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senators Sonnenberg, Chair, Baumgardner, and Garcia were appointed as Senate conferees on the first conference committee on **SB17-100**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
STATE BOARD OF PAROLE

effective September 1, 2016 for a term expiring July 1, 2017:

Brandon W. Mathews of Colorado Springs, Colorado, and occasioned by the resignation of Barbara Jean Kelley of Denver, Colorado, appointed.

for terms expiring July 1, 2020:

Joe Martin Morales of Parker, Colorado, to serve as a representative of law enforcement, and as Chair, reappointed;

Rebecca Lynn Oakes of Denver, Colorado, to serve as a citizen member, reappointed;

Alexandra Jennifer Walker of Sedalia, Colorado, to serve as a citizen member, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
COLORADO COMMISSION ON JUDICIAL DISCIPLINE

for a term expiring June 30, 2019:

Drucilla Pugh of Pueblo, Colorado, to serve as a non-attorney, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MESSAGE FROM THE HOUSE

March 13, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1220, amended as printed in House Journal, March 10, 2017.
HB17-1106, amended as printed in House Journal, March 10, 2017.
HB17-1070, amended as printed in House Journal, March 10, 2017.
HB17-1158, amended as printed in House Journal, March 10, 2017.
HB17-1110, amended as printed in House Journal, March 10, 2017.
HB17-1138, amended as printed in House Journal, March 10, 2017.

The House has passed on Third Reading and returns herewith SB17-077.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
SB17-134, amended as printed in House Journal, March 10, 2017.
SB17-031, amended as printed in House Journal, March 10, 2017.

The House has adopted and returns herewith SJR17-016.

The House has voted to concur in the Senate amendments to HBs17-1044, 1092, and 1015 and has repassed the bills as so amended.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-026, 030, 034, 050, 056, 090, and 127.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, March 10, 2017, at 3:20 p.m.:
SB17-026, 030, 034, 050, 056, 090, and 127.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, March 14, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

63rd Legislative Day Tuesday, March 14, 2017

Prayer — By the chaplain, Dan File, Capitol Commission, Lake City.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Martinez Humenik.
Present later--1, Martinez Humenik.

Quorum — The President announced a quorum present.

Pledge — By Senator Fenberg.

Reading of the Journal — On motion of Senator Moreno, reading of the Journal of Monday, March 13, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology — The Committee on Business, Labor, & Technology 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
STATE PERSONNEL BOARD

for a term expiring June 30, 2019:

Neil Peck of Denver, Colorado, reappointed.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB17-1123** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-157** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1038** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1059** 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 5, strike line 3 and substitute "(1)(v) and (2)(a)(II); and **repeal** (1)(s) as follows:".

Page 5, strike lines 11 through 14 and substitute:

"(v) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), to provide to the judiciary committees of the senate and the house of representatives,

or any successor committees, a status report on the effect on parole outcomes and use of any ~~moneys~~ MONEY allocated pursuant to House Bill 10-1360, enacted in 2010;".

Page 5, strike lines 15 through 17 and substitute:

"(2) (a) (II) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the division shall submit the report to the education and judiciary committees of the house of representatives and the senate, or any successor committees. The division shall provide the report to any".

Judiciary After consideration on the merits, the Committee recommends that **HB17-1147** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that **SB17-201** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 3, after "(1)(g)(III)," insert "(1)(n),".

Page 3, after line 14 insert:

"(n) One member appointed by the executive director of the department of public safety, AFTER CONSULTATION WITH A STATEWIDE ORGANIZATION OF CRIMINAL DEFENSE ATTORNEYS, who is a private criminal defense attorney. ~~The member shall serve a term of three years and shall serve without compensation.~~".

SENATE SERVICES REPORT

Correctly Printed: SB17-230.
Correctly Engrossed: SB17-061 and 078; SJR17-016.
Correctly Reengrossed: SB17-088.
Correctly Revised: HB17-1048; HJR17-1015.
Correctly Rerevised: HB17-1065, 1136, and 1157.
Correctly Enrolled: SB17-073 and 077.

MESSAGE FROM THE REVISOR OF STATUTES

March 13, 2017

We herewith transmit:

Without comment, as amended, HB17-1070, 1106, 1110, 1138, 1158, and 1220.
Without comment, as amended, SB17-031 and 134.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Representative Rosenthal was added as a House joint prime sponsor on SB17-061 with Senators Hill and Williams and Represenative Sias.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

SJR17-017 by Senator(s) Holbert and Smallwood; also Representative(s) Neville P. and Ransom--Concerning the designation of a portion of United States Interstate Highway 25 as the "Trooper Donahue and Trooper Jursevics Move Over Safety Awareness Corridor".

Laid over until Friday, March 17, retaining its place on the calendar.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1048 by Representative(s) Foote; also Senator(s) Smallwood--Concerning the prosecution of insurance fraud.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Hill, Holbert, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Sonnenberg, Tate, Todd, and Williams A.

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:

HB17-1107 by Representative(s) Thurlow and Bridges; also Senator(s) Martinez Humenik--Concerning the implementation of a new computer system by the division of motor vehicles to facilitate the division's administration of the operation of motor vehicles in the state.

Laid over until Wednesday, March 15, retaining its place on the calendar.

SB17-061 by Senator(s) Hill and Williams A.; also Representative(s) Sias and Rosenthal--Concerning distribution of additional operational funding to charter schools.

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	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Gardner, Grantham, Holbert, Lambert, Lundberg, Marble, Neville T., Priola, Scott, Smallwood, and Sonnenberg.

SB17-078 by Senator(s) Gardner; also Representative(s) Melton and Van Winkle--Concerning the property taxation of a residential storage condominium unit.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Grantham, Holbert, Jahn, Lambert, Lundberg, Marble, Neville T., Scott, Smallwood, Sonnenberg, and Tate.

Committee of the Whole

On motion of Senator Baumgardner, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Baumgardner was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1180 by Representative(s) Winter and Lawrence; also Senator(s) Neville T. and Kerr--Concerning requirements for the tuition assistance program for students enrolled in career and technical education certificate programs.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Baumgardner, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1180.

Committee of the Whole

On motion of Senator Baumgardner, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Baumgardner was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-181 by Senator(s) Gardner; also Representative(s) Willett--Concerning modification of the collateral-source rule in civil litigation in which a party has insurance coverage.

Laid over until Wednesday, March 15, retaining its place on the calendar.

SB17-182 by Senator(s) Gardner; also Representative(s) Neville P. and Willett--Concerning a limitation on the obligation to cover damages arising out of a motor vehicle accident when uninsured motorist insurance may cover the same damages.

Laid over until Wednesday, March 15, retaining its place on the calendar.

SB17-191 by Senator(s) Tate; also Representative(s) Wist and Willett--Concerning market-based rates for interest on judgments.

Laid over until Wednesday, March 15, retaining its place on the calendar.

HB17-1148 by Representative(s) Arndt, Buck, Becker J., Hansen, Hooton, Valdez, Willett; also Senator(s) Cooke--Concerning applications for registration to cultivate industrial hemp.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1076 by Representative(s) Arndt; also Senator(s) Coram and Fenberg--Concerning rule-making by the state engineer regarding permits for the use of water artificially recharged into nontributary groundwater aquifers.

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 Baumgardner, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1148, HB17-1076.
Laid over until Wednesday, March 15: SB17-181, SB17-182, SB17-191.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2020:

Jane McLean Barnes of Lakewood, Colorado, to serve as a Republican from the Seventh Congressional District, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
BOARD OF TRUSTEES FOR
WESTERN STATE COLORADO UNIVERSITY

for terms expiring December 31, 2020:

Keith Daniel Kennedy of Monument, Colorado, a Republican, appointed.

Nancy Ellen Chisholm of Lakewood, Colorado, a Republican, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

effective December 31, 2016 for a term expiring December 31, 2020:

Dianne Arlene Pacheco-Van Voorhees of Arvada, Colorado, to serve as a Democrat, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

EXECUTIVE DIRECTOR
COLORADO DEPARTMENT OF NATURAL RESOURCES

effective immediately for a term expiring at the pleasure of the Governor:

Robert W. Randall of Denver, Colorado, and occasioned by the resignation of Mike King of Parker, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
PARKS AND WILDLIFE COMMISSION

for terms expiring July 1, 2020:

Robert William Bray of Redvale, Colorado, as a representative of agriculture and west of the Continental Divide, reappointed;

Michelle Zimmerman of Breckenridge, Colorado, as a representative of a non-profit organization that promotes conservation and recognizes non-consumptive wildlife use, and west of the Continental Divide, reappointed;

Hon. James Vigil of Trinidad, Colorado, as a representative of agriculture, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB17-1011, 1034, 1040, 1041, 1046, 1056, 1061, 1093, 1105, 1135, 1137, 1140, 1143; HJR17-1014, 1016, 1017.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, March 15, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

64th Legislative Day Wednesday, March 15, 2017

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community: A Mennonite Congregation, Littleton.

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 Fenberg.

Reading of the Journal — On motion of Senator Moreno, reading of the Journal of Tuesday, March 14, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

COMMITTEE OF REFERENCE REPORTS

Appropriations — After consideration on the merits, the Committee recommends that **SB17-116** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 19 insert:

"**SECTION 3. Appropriation - adjustments to 2017 long bill.** (1) To implement this act, appropriations made in the annual general appropriation act for the 2017-18 state fiscal year to the department of public safety for use by the Colorado bureau of investigation are adjusted as follows:

(a) The cash funds appropriation from the Colorado bureau of investigation identification unit fund created in section 24-33.5-426, C.R.S., for personal services in the Colorado crime information center, criminal history record checks is decreased by $52,816, and the related FTE is decreased by 0.9 FTE;

(b) The cash funds appropriation from the Colorado bureau of investigation identification unit fund created in section 24-33.5-426, C.R.S., for operating expenses in the Colorado crime information center, criminal history record checks is decreased by $124,025;

(c) The cash funds appropriation from the instant criminal background check cash fund created in section 24-33.5-424 (3.5)(b), C.R.S., for personal services in the state point of contact - national instant criminal background check program is decreased by $51,677, and the related FTE is decreased by 1.1 FTE; and

(d) The cash funds appropriation from the instant criminal background check cash fund created in section 24-33.5-424 (3.5)(b), C.R.S., for operating expense in the state point of contact - national instant criminal background check program is decreased by $950.".

Renumber succeeding sections accordingly.

Page 1, line 105, strike "**SCHOOLS.**" and substitute "**SCHOOLS AND REDUCING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-193** 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 the Health and Human Services Committee Report, page 2, after line 21 insert:

"Page 4, line 4, strike "prevention strategies for, and treatment of, abuse of and".

Page 4, strike line 5 and substitute "substance use disorder prevention, treatment, and recovery support strategies.".".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-096** 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 4, after line 14 insert:

"**SECTION 3. Appropriation.** For the 2017-18 state fiscal year, $814,834 is appropriated to the department of public safety for use by the office of preparedness. This appropriation is from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S. To implement this act, the office may use this appropriation as follows:

(a) $14,834 for personal services, which amount is based on an assumption that the department will require an additional 0.3 FTE; and

(b) $800,000 for the reserve academy grant program.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**AUXILIARY.**" and substitute "**AUXILIARY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-074** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 14, after line 4 insert:

"**SECTION 2. Appropriation.** For the 2017-18 state fiscal year, $500,000 is appropriated to the department of higher education for use by the regents of the university of Colorado. This appropriation is from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S. To implement this act, the regents may use this appropriation for allocation to the college of nursing for the medication assisted treatment expansion pilot program.".

Renumber succeeding section accordingly.

Page 1, line 104, strike "**TREATMENT.**" and substitute "**TREATMENT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-040** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 11, after line 24 insert:

"**SECTION 6. Appropriation.** (1) For the 2017-18 state fiscal year, $50,810 is appropriated to the judicial department for use by the office of the state public defender. This appropriation is from the general fund. To implement this act, the office may use this appropriation as follows:

(a) $44,492 for for personal services, which amount is based on

an assumption that the office will require an additional 0.8 FTE;

(b) $5,463 for operating expenses; and

(c) $855 for the purchase of legal services.

(2) For the 2017-18 state fiscal year, $855 is appropriated to the department of law. This appropriation is from reappropriated funds received from the office of the state public defender in the judicial department under subsection (1)(c) of this section. To implement this act, the department of law may use this appropriation to provide legal services for the office of the state public defender in the judicial department.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**BODIES.**" and substitute, "**BODIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-230** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 2, strike "$44,441,196" and substitute "$43,570,138".

Page 2, line 3, strike "$43,424,196" and substitute "$42,553,138".

Page 2, line 6, strike "$15,027,723" and substitute "$14,267,528".

Page 2, line 7, strike "$14,937,723" and substitute "$14,177,528".

Page 2, line 12, strike "97.2 FTE;" and substitute "66.0 FTE;".

Page 2, line 25, strike "$8,935,216" and substitute "$8,862,899".

Page 3, line 8, strike "$1,354,320" and substitute "$1,335,047".

Page 3, line 10, strike "$1,354,320" and substitute "$1,335,047".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-111** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Business, Labor, and Technology Committee Report, dated February 15, 2017, page 1 strike lines 15 through 19 and substitute:

""**SECTION 2. Appropriation.** For the 2017-18 state fiscal year, $128,428 is appropriated to the department of revenue for Marijuana Enforcement. This appropriation is from the marijuana cash fund created in section 12-43.3-501 (1)(a), C.R.S., and is based on an assumption that the department will require an additional 0.9 FTE.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**SHORTFALLS.**" and substitute "**SHORTFALLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".".

Transportation

After consideration on the merits, the Committee recommends that **HB17-1149** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Trans-portation

After consideration on the merits, the Committee recommends that **HB17-1151** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, strike line 7 and substitute "~~tandem wheels~~ or ~~two parallel~~ THREE wheels, ~~and one forward wheel,~~ fully".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-199** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 3, strike lines 7 through 10 and substitute "the sale of malt, vinous, and spirituous liquors IN SEALED CONTAINERS FOR CONSUMPTION OFF THE PREMISES, SO LONG AS AT LEAST FIFTY PERCENT OF THE ESTABLISHMENT'S TOTAL ANNUAL GROSS SALES REVENUES ARE FROM THE SALE OF MALT, VINOUS, AND SPIRITUOUS LIQUORS, and nonalcohol products, but only if the annual gross revenues from the sale of nonalcohol products does not exceed twenty percent of the ~~retail liquor store's~~ ESTABLISHMENT'S total annual gross SALES revenues, AS DETERMINED IN ACCORDANCE WITH SECTION 12-47-407 (1)(b).".

Page 3, strike lines 24 and 25 and substitute:

"(III) SOFT DRINKS AND MIXERS;
(IV) CIGARETTES, TOBACCO PRODUCTS, AND NICOTINE PRODUCTS, AS DEFINED IN SECTION 18-13-121 (5); AND
(V) NONFOOD ITEMS RELATED TO THE CONSUMPTION OF MALT, VINOUS, OR SPIRITUOUS LIQUORS.".

Page 4, line 1, strike "JULY 1, 2017," and substitute "JANUARY 1, 2022,".

Page 4, line 7, strike "JULY" and substitute "JANUARY".

Page 6, line 2, strike "JULY 1, 2017," and substitute "JANUARY 1, 2022,".

Page 6, line 3, strike "JULY 1, 2017," and substitute "JANUARY 1, 2022,".

Page 7, lines 8 and 9, strike "ON OR AFTER JANUARY 1, 2017, AND BEFORE JULY 1, 2017, ONE".

Page 7, line 10, strike "~~licenses as follows~~ LICENSE," and substitute "licenses as follows,".

Page 7, line 12, strike "section;" and substitute "section:".

Page 7, strike lines 13 through 18 and substitute:

"(A) On or after January 1, 2017, and before ~~January 1, 2022~~ JULY 1, 2017, one additional retail liquor store license, for a maximum of up to two total retail liquor store licenses; AND
(B) On or after JULY 1, 2017, AND BEFORE January 1, 2022, ~~and before January 1, 2027,~~ up to ~~two~~ FOUR additional retail liquor store licenses, for a maximum of ~~three~~ FIVE total retail liquor store licenses; ~~and~~".

Page 8, strike lines 1 through 3.

Reletter succeeding sub-subparagraphs accordingly.

Page 8, after line 25 insert:

"**SECTION 3.** In Colorado Revised Statutes, 12-47-301, **amend** (9)(a)(II) as follows:
12-47-301. Licensing in general.
(9) (a) (II) (A) Notwithstanding ~~subparagraph (I) of this paragraph (a)~~ SUBSECTION (9)(a)(I) OF THIS SECTION, for a retail liquor store licensed

on or before January 1, 2016, the licensee may apply to move the permanent location to another place within or outside the municipality or county in which the license was originally granted.

(B) THE STATE AND LOCAL LICENSING AUTHORITIES SHALL NOT GRANT PERMISSION UNDER THIS SUBSECTION (9)(a)(II) FOR A NEW LOCATION WITHIN OR OUTSIDE THE MUNICIPALITY OR COUNTY IN WHICH THE LICENSE WAS ORIGINALLY GRANTED IF THE NEW LOCATION IS WITHIN ONE THOUSAND FIVE HUNDRED FEET OF ANOTHER LICENSED PREMISES LICENSED TO SELL MALT, VINOUS, OR SPIRITUOUS LIQUORS AT RETAIL FOR CONSUMPTION OFF THE LICENSED PREMISES OR, FOR A PREMISES LOCATED IN A MUNICIPALITY WITH A POPULATION OF TEN THOUSAND OR FEWER, WITHIN THREE THOUSAND FEET OF ANOTHER LICENSED PREMISES LICENSED TO SELL MALT, VINOUS, OR SPIRITUOUS LIQUORS AT RETAIL FOR CONSUMPTION OFF THE LICENSED PREMISES.

(C) It is unlawful for the licensee to sell any alcohol beverages at the new location until permission is granted by the state and local licensing authorities.".

Renumber succeeding sections accordingly.

Finance

The Committee on Finance 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 HOUSING AND FINANCE AUTHORITY
BOARD OF DIRECTORS

for a term expiring July 1, 2019:

Max Tyler of Lakewood, Colorado, to serve as a member representing the public, and occasioned by the resignation of Charles Kenneth Knight of Denver, Colorado, appointed.

Finance

The Committee on Finance 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 LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2020:

Cynthia D. Mares of Centennial, Colorado, representing registered electors, and as a Democrat, reappointed.

Finance

After consideration on the merits, the Committee recommends that **HB17-1103** be referred to the Committee of the Whole with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **SB17-208** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, after line 15 insert:

"**SECTION 2.** In Colorado Revised Statutes, 29-2-105, **amend** (1)(d)(I)(A); and **add** (1)(d)(I)(A.7) as follows:

29-2-105. Contents of sales tax ordinances and proposals - repeal. (1) The sales tax ordinance or proposal of any incorporated town, city, or county adopted pursuant to this article shall be imposed on the sale of tangible personal property at retail or the furnishing of services, as provided in paragraph (d) of this subsection (1). Any countywide or incorporated town or city sales tax ordinance or proposal shall include the following provisions:

(d) (I) A provision that the sale of tangible personal property and services taxable pursuant to this article shall be the same as the sale of tangible personal property and services taxable pursuant to section 39-26-104, C.R.S., except as otherwise provided in this paragraph (d). The sale of tangible personal property and services taxable pursuant to this article shall be subject to the same sales tax exemptions as those specified in part 7 of article 26 of title 39, C.R.S.; except that the sale of the following may be exempted from a town, city, or county sales tax only by the express inclusion of the exemption either at the time of adoption of the initial sales tax ordinance or resolution or by amendment thereto:

(A) The exemption for sales of machinery or machine tools specified in section 39-26-709 (1), ~~C.R.S.,~~ other than machinery or machine tools used in the processing of recovered materials by a business listed in the inventory prepared by the department of public health and environment pursuant to section 30-20-122 (1) (a) (V), ~~C.R.S.,~~ AND OTHER THAN MACHINERY OR MACHINE TOOLS USED IN THE PROCESSING OF MATERIALS FROM A CONSTRUCTION MATERIALS MINING OPERATION AS DEFINED IN SECTION 34-32.5-103, THAT ARE LOCATED OUTSIDE OF AN ENTERPRISE ZONE AS DEFINED IN SECTION 39-30-103, INCLUDING ANY CONCENTRATING, MILLING, EVAPORATION, CLEANING, PREPARATION, TRANSPORTATION, AND OTHER OFF-SITE OPERATIONS NOT CONDUCTED ON AFFECTED LAND;

(A.7) THE EXEMPTION FOR SALES OF MACHINERY OR MACHINE TOOLS SPECIFIED IN SECTION 39-26-709 (1), USED IN THE PROCESSING OF MATERIALS FROM A CONSTRUCTION MATERIALS MINING OPERATION AS DEFINED IN SECTION 34-32.5-103, THAT ARE LOCATED OUTSIDE OF AN ENTERPRISE ZONE AS DEFINED IN SECTION 39-30-103, INCLUDING ANY CONCENTRATING, MILLING, EVAPORATION, CLEANING, PREPARATION, TRANSPORTATION, AND OTHER OFF-SITE OPERATIONS NOT CONDUCTED ON AFFECTED LAND;

SECTION 3. Appropriation - adjustments to 2017 long bill. To implement this act, the general fund appropriation made in the annual general appropriation act for the 2017-18 state fiscal year to the department of revenue for use by the taxpayer service division for operating expenses is decreased by $42,500.".

Renumber succeeding sections accordingly.

Page 1, line 102, strike "**OPERATIONS.**" and substitute "**OPERATIONS, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.**".

SENATE SERVICES REPORT

Correctly Printed: SJR17-017.
Correctly Reengrossed: SB17-061 and 078.
Correctly Revised: HB17-1076, 1148, and 1180.
Correctly Rerevised: HB17-1048.

MESSAGE FROM THE HOUSE

March 14, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1221, amended as printed in House Journal, March 13, 2017.

The House has passed on Third Reading and returns herewith SB17-110.

The House has postponed indefinitely SB17-135. The bill is returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

March 14, 2017

We herewith transmit:

Without comment, as amended, HB17-1221.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

SJR17-018 by Senator(s) Grantham and Kagan; also Representative(s) Rosenthal and Wist--Concerning recognizing the special relationship between the United Kingdom and Colorado.

Laid over one day under Senate Rule 30(b).

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1180 by Representative(s) Winter and Lawrence; also Senator(s) Neville T. and Kerr--Concerning requirements for the tuition assistance program for students enrolled in career and technical education certificate programs.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

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:

HB17-1107 by Representative(s) Thurlow and Bridges; also Senator(s) Martinez Humenik--Concerning the implementation of a new computer system by the division of motor vehicles to facilitate the division's administration of the operation of motor vehicles in the state.

A majority of those elected to the Senate having voted in the affirmative, Senator Martinez Humenik was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.005) , by Senator Martinez Humenik.

Page 10, line 9, strike the second "AND".

Amend revised bill, page 10, line 11, strike "42-7-604." and substitute "42-7-604, AND TO PURCHASE AND ISSUE LICENSE PLATES, DECALS, AND VALIDATING TABS IN ACCORDANCE WITH ARTICLE 3 OF THIS TITLE 42.".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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: Jones, Kagan, Kerr, and Todd.

HB17-1148 by Representative(s) Arndt, Buck, Becker J., Hansen, Hooton, Valdez, Willett; also Senator(s) Cooke--Concerning applications for registration to cultivate industrial hemp.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Coram, Court, Crowder, Grantham, Jones, Kerr, Martinez Humenik, Merrifield, Priola, Scott, Smallwood, Sonnenberg, Tate, and Todd.

HB17-1076 by Representative(s) Arndt; also Senator(s) Coram and Fenberg--Concerning rule-making by the state engineer regarding permits for the use of water artificially recharged into nontributary groundwater aquifers.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Crowder, Donovan, Fields, Guzman, Jahn, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Scott, Sonnenberg, Tate, Todd, and Williams A.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-181 by Senator(s) Gardner; also Representative(s) Willett--Concerning modification of the collateral-source rule in civil litigation in which a party has insurance coverage.

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.)

SB17-182 by Senator(s) Gardner; also Representative(s) Neville P. and Willett--Concerning a limitation on the obligation to cover damages arising out of a motor vehicle accident when uninsured motorist insurance may cover the same damages.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 8, page(s) 371-372 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.)

SB17-191 by Senator(s) Tate; also Representative(s) Wist and Willett--Concerning market-based rates for interest on judgments.

Ordered engrossed and placed on the calendar for third reading and final passage.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB17-181 by Senator(s) Gardner; also Representative(s) Willett--Concerning modification of the collateral-source rule in civil litigation in which a party has insurance coverage.

Senator Kagan moved to amend the Report of the Committee of the Whole to show that the following Kagan floor amendment, (L.001) to SB17-181, did pass.

Amend printed bill, page 5, line 6, strike the period and add "UNLESS THE ALLEGED THIRD-PARTY TORTFEASOR OR UNINSURED MOTORIST HAS BEEN CONVICTED OF A SECOND OR SUBSEQUENT ALCOHOL-RELATED DRIVING OFFENSE THAT RESULTED IN INJURY.".

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SB17-182 by Senator(s) Gardner; also Representative(s) Neville P. and Willett--Concerning a limitation on the obligation to cover damages arising out of a motor vehicle accident when uninsured motorist insurance may cover the same damages.

Senator Kagan moved to amend the Report of the Committee of the Whole to show that the following Kagan floor amendment, (L.002) to SB17-182, did pass.

Amend printed bill, page 4, after line 21 insert:

"**SECTION 3.** In Colorado Revised Statutes, **add** 6-1-728 as follows:

6-1-728. Uninsured or underinsured motorist coverage. AN INSURER ENGAGES IN A DECEPTIVE TRADE PRACTICE WHEN THE INSURER, IN THE COURSE OF THE INSURER'S BUSINESS, SELLS A CONSUMER A SECOND OR SUBSEQUENT POLICY OF UNINSURED OR UNDERINSURED MOTOR VEHICLE COVERAGE THAT COVERS THE SAME PEOPLE FOR THE SAME RISKS AND CONTAINS A PROVISION DENYING ADDITIONAL COVERAGE BEYOND THAT COVERED BY THE FIRST POLICY OF UNINSURED OR UNDERINSURED MOTOR VEHICLE COVERAGE WITHOUT INFORMING THE CONSUMER THAT THE COVERAGE WILL NOT INCREASE THE CONSUMER'S REMUNERATION IN THE EVENT OF AN ACCIDENT.".

Renumber succeeding section accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	N
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Smallwood, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-181 as amended, SB17-182 as amended, SB17-191

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-123 by Senator(s) Priola and Zenzinger; also Representative(s) Hamner and Wilson--Concerning a high school diploma endorsement for biliteracy.

Senator Zenzinger moved that the Senate concur in House amendments to **SB17-123**, as printed in House journal, March 6, page(s) 399-401. The motion was **adopted** by the following roll call vote:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-031 by Senator(s) Tate, Kerr, Moreno; also Representative(s) Arndt, Thurlow--Concerning the scheduled repeal of reports by the department of corrections to the general assembly.

Senator Tate moved that the Senate concur in House amendments to **SB17-031**, as printed in House journal, March 10, page 477. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-134 by Senator(s) Tate; also Representative(s) Herod and Nordberg--Concerning the exclusion of certain areas of an alcohol beverage licensee's operation in the application of penalties for certain violations.

Senator Tate moved that the Senate concur in House amendments to **SB17-134**, as printed in House journal, March 10, page 476. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Fields and Kagan.

Senator Crowder requested his name be removed as co-sponsor on SB17-134.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-008, 011, 041, and 060; SJR17-015 and 016.

MESSAGE FROM THE HOUSE

March 15, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1122.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1174, amended as printed in House Journal, March 14, 2017.
HB17-1196, amended as printed in House Journal, March 14, 2017.
HB17-1188, amended as printed in House Journal, March 14, 2017.

The House has passed on Third Reading and returns herewith SB17-194, 124, 024, 122.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-033, amended as printed in House Journal, March 14, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

March 15, 2017

We herewith transmit:

Without comment, HB17-1122.
Without comment, as amended, HB17-1174, 1188, and 1196.
Without comment, as amended, SB17-033.

TRIBUTES

Honoring:

Jack Ethredge -- By Senator Beth Martinez Humenik
Southern Colorado -- By Senator Larry Crowder, Senator Leroy Garcia, Representative Daneya Esgar, Representative Clarice Navarro, and Representative Donald Valdez.
State Champions of Pueblo County High School -- By Senator Leroy Garcia.
Advocacy for Hydrocephalus Awareness in Colorado -- By Senator Angela Williams and Representative James Coleman.
Burton Snowboards -- By Senator Kerry Donovan.
Stan Zemler -- By Senator Kerry Donovan.
Boulder Daily Camera -- By Senator Steve Fenberg.
Lucy Collins -- By Senator Steve Fenberg.
Vi and Byron Brown -- By Senator Steve Fenberg.
Boulder High School Boy's Soccer -- By Senator Steve Fenberg and Representative Edie Hooton.
Madison J. Lee -- By Senator Rhonda Fields.
Ernest and Gloria Dolores Charlifue -- By Senator Leroy Garcia.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, March 16, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

65th Legislative Day Thursday, March 16, 2017

Prayer — By the chaplain, Reverend Carl Nelson, Village 7 Presbyterian Church, Colorado Springs.

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 Fenberg.

Reading of the Journal — On motion of Senator Moreno, reading of the Journal of Wednesday, March 15, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for terms expiring June 1, 2020:

Jesse Niles True of Dillon, Colorado, to serve as a representative of the ski industry, appointed;

Andrea Fulton of Wheat Ridge, Colorado, to serve as a representative of private travel attractions and casinos, reappointed;

Daniel R. Grunig of Denver, Colorado, to serve as a representative of tourism-related retail industry, small community, and small business, reappointed.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB17-117** 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 9, strike "113-79;" and substitute "113-79, also referred to as the "2014 U.S. Farm Bill";

(c) Section 763 of the Omnibus Appropriations Act of 2016, Pub. L. 114-113, provides: "None of the funds made available by this act or any other act may be used ... to prohibit the transportation, processing, sale, or use of industrial hemp";".

Reletter succeeding paragraphs accordingly.

Page 3, strike lines 2 through 9 and substitute:

"(2) A PERSON WITH AN ABSOLUTE OR CONDITIONAL WATER RIGHT DECREED FOR AGRICULTURAL USE MAY USE THE WATER SUBJECT TO THE AGRICULTURAL WATER RIGHT FOR ANY PRODUCT AUTHORIZED FOR GROWTH AND CULTIVATION BY TITLE 35.".

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB17-1152** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary

After consideration on the merits, the Committee recommends that **HB17-1035** 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 6, after line 8 insert:

"**SECTION 3. Applicability.** This act applies to lease agreements and rental agreements entered into or renewed on or after the effective date of this act.".

Renumber succeeding section accordingly.

Judiciary

After consideration on the merits, the Committee recommends that **HB17-1101** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary

After consideration on the merits, the Committee recommends that **HB17-1111** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary

After consideration on the merits, the Committee recommends that **SB17-021** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1. Legislative declaration.** (1) The general assembly finds and declares that:

(a) Individuals with serious mental health disorders number fewer than four in every 100 American adults but occupy at least one in five of America's prison and jail beds; whereas, in the community, only 11.7 state hospital beds remain per 100,000 people, leaving the state with fewer hospital beds per capita than at any time since before the nation stopped criminalizing mental health disorders in the 1850s;

(b) Inmates with a mental health disorder spend five and a half times longer in custody than the average inmate;

(c) In 2010, the department of corrections and county jail systems spent $93 million of taxpayers' money on mental health services. This amounts to $2,083 per prisoner for mental health services. In that same year, only 53% of the state's known behavioral health expenditures were spent through the formal public health system, the remainder being spent through the prison and jail system, child welfare system, and hospitals.

(d) Correctional facilities and county jails are not designed and do not have the resources to handle or treat inmates with a behavioral or mental health disorder but have become de facto mental health institutions;

(e) Inmates with behavioral or mental health disorders are frequently released into the community after incarceration homeless and with no or insufficient supportive services;

(f) Housing alone is not sufficient to improve outcomes; however, supportive housing models with specific support services are critical to success in reducing recidivism of persons with behavioral or mental health disorders transitioning between homelessness and incarceration;

(g) The state spends $666 per day for a bed at the Colorado mental health institute at Pueblo, one of Colorado's state-operated inpatient, psychiatric hospitals; and

(h) The state has a shortage of crisis beds, which results in individuals in crisis remaining homeless or in less than ideal housing,

like jails, while awaiting appropriate placement.

SECTION 2. In Colorado Revised Statutes, **add** 24-32-723.5 as follows:

24-32-723.5. Housing assistance for a person with a behavioral or mental health disorder in the criminal or juvenile justice system - cash fund - definition. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "PERSON WITH A BEHAVIORAL OR MENTAL HEALTH DISORDER" MEANS AN INDIVIDUAL WHO HAS OR, AT ANY TIME DURING THE PREVIOUS TWELVE MONTHS, HAD A DIAGNOSABLE MENTAL, BEHAVIORAL, OR EMOTIONAL DISORDER OF SUFFICIENT DURATION TO MEET DIAGNOSTIC CRITERIA SPECIFIED WITHIN THE DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS, RESULTING IN FUNCTIONAL IMPAIRMENT THAT INTERFERES WITH OR LIMITS ONE OR MORE MAJOR LIFE ACTIVITIES.

(2) IN CONJUNCTION WITH ITS OTHER PROGRAMS TO PROVIDE ASSISTANCE IN OBTAINING HOUSING, THE DIVISION SHALL ESTABLISH A PROGRAM THAT PROVIDES VOUCHERS AND OTHER SUPPORT SERVICES FOR HOUSING ASSISTANCE FOR A PERSON WITH A MENTAL HEALTH DISORDER OR CO-OCCURRING BEHAVIORAL HEALTH DISORDER WHO IS TRANSITIONING FROM THE DEPARTMENT OF CORRECTIONS, THE DIVISION OF YOUTH CORRECTIONS IN THE DEPARTMENT OF HUMAN SERVICES, OR A COUNTY JAIL INTO THE COMMUNITY.

(3) THE DIVISION SHALL ALSO PROVIDE GRANTS OR LOANS FOR THE ACQUISITION, CONSTRUCTION, OR REHABILITATION OF RENTAL HOUSING FOR PERSONS WITH BEHAVIORAL OR MENTAL HEALTH DISORDERS.

(4) THERE IS CREATED IN THE STATE TREASURY THE HOUSING ASSISTANCE FOR PERSONS TRANSITIONING FROM THE CRIMINAL OR JUVENILE JUSTICE SYSTEM CASH FUND, REFERRED TO IN THIS SECTION AS THE "CASH FUND". THE CASH FUND CONSISTS OF ALL MONEY TRANSFERRED TO THE FUND PURSUANT TO SECTION 17-27-108 (7) AND ALL MONEY THAT THE GENERAL ASSEMBLY APPROPRIATES TO THE CASH FUND. ALL MONEY IN THE CASH FUND IS CONTINUOUSLY APPROPRIATED TO THE DIVISION FOR THE PURPOSES SET FORTH IN THIS SECTION. ALL INTEREST EARNED FROM THE INVESTMENT OF MONEY IN THE CASH FUND IS CREDITED TO THE CASH FUND. ALL MONEY NOT EXPENDED AT THE END OF THE FISCAL YEAR REMAINS IN THE CASH FUND AND DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND.

SECTION 3. In Colorado Revised Statutes, **add** article 70 to title 27 as follows:

ARTICLE 70
Reentry Programs for Persons with Behavioral or Mental Health Disorders

27-70-101. Reentry programs for persons with behavioral or mental health disorders - definitions. (1) AS USED IN THIS ARTICLE 70, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "PERSON WITH A BEHAVIORAL OR MENTAL HEALTH DISORDER" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-32-723.5 (1).

(b) "UNIT" MEANS THE UNIT IN THE DEPARTMENT OF HUMAN SERVICES THAT ADMINISTERS BEHAVIORAL HEALTH PROGRAMS AND SERVICES, INCLUDING THOSE RELATED TO MENTAL HEALTH AND SUBSTANCE ABUSE.

(2) THE UNIT, IN COLLABORATION WITH THE DEPARTMENT OF CORRECTIONS, SHALL ADMINISTER APPROPRIATE REENTRY PROGRAMS FOR PERSONS WITH MENTAL HEALTH DISORDERS OR CO-OCCURRING BEHAVIORAL HEALTH DISORDERS WHILE HOMELESS OR PRIOR TO AND AFTER RELEASE FROM INCARCERATION OR ADJUDICATION. THE PURPOSE OF THE PROGRAMS IS TO ASSIST INDIVIDUALS WITH REENTRY INTO SOCIETY BASED UPON THE ASSESSED NEED AND SUITABILITY OF INDIVIDUALS FOR SUCH SERVICES. THE UNIT SHALL DESIGN EACH REENTRY PROGRAM TO REDUCE THE POSSIBILITY OF EACH INDIVIDUAL RETURNING TO THE DEPARTMENT OF CORRECTIONS, THE DIVISION OF YOUTH CORRECTIONS IN THE DEPARTMENT OF HUMAN SERVICES, OR A COUNTY JAIL, TO ASSIST EACH INDIVIDUAL IN REHABILITATION, AND TO PROVIDE EACH INDIVIDUAL WITH LIFE MANAGEMENT SKILLS THAT ALLOW HIM OR HER TO FUNCTION SUCCESSFULLY IN SOCIETY.

(3) SUBJECT TO APPROPRIATIONS, THE UNIT, IN CONJUNCTION WITH THE DIVISION OF HOUSING IN THE DEPARTMENT OF LOCAL AFFAIRS, SHALL DEVELOP AND IMPLEMENT INITIATIVES SPECIFICALLY DESIGNED TO

ASSIST EACH INDIVIDUAL'S TRANSITION FROM THE DEPARTMENT OF CORRECTIONS, THE DIVISION OF YOUTH CORRECTIONS IN THE DEPARTMENT OF HUMAN SERVICES, OR A COUNTY JAIL INTO THE COMMUNITY. AN INITIATIVE DEVELOPED AND IMPLEMENTED PURSUANT TO THIS SUBSECTION (3) MAY INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING COMPONENTS:

(a) HOUSING VOUCHERS;

(b) ACQUISITION, CONSTRUCTION, OR REHABILITATION OF RENTAL HOUSING;

(c) SUPPORTIVE EMPLOYMENT SERVICES;

(d) MEDICAID ENROLLMENT SERVICES;

(e) MENTAL HEALTH TREATMENT SERVICES INCLUDING PSYCHIATRIC AND COUNSELING SERVICES;

(f) CASE MANAGEMENT SERVICES;

(g) MEDICATION MONITORING;

(h) PEER SPECIALIST SUPPORT; AND

(i) POSITIVE RECREATIONAL ACTIVITIES.

SECTION 4. In Colorado Revised Statutes, 17-27-108, **amend** (5); and **add** (7) as follows:

17-27-108. Division of criminal justice of the department of public safety - duties - community corrections contracts. (5) The division of criminal justice is authorized to transfer up to ten percent of annual appropriations among or between line items for community corrections program services OR THE REENTRY INITIATIVE DESCRIBED IN SECTION 27-70-101 (3). Advance notice of such transfers ~~shall~~ MUST be provided to the general assembly, the governor, the executive director of the department of corrections, and the chief justice of the supreme court.

(7) NOTWITHSTANDING ANY LAW TO THE CONTRARY, ON AND AFTER JULY 1, 2016, ANY MONEY APPROPRIATED FROM THE GENERAL FUND TO THE DIVISION OF CRIMINAL JUSTICE FOR THE PURPOSES OF THIS ARTICLE 27 THAT IS UNEXPENDED OR UNENCUMBERED AS OF THE CLOSE OF THAT FISCAL YEAR SHALL NOT REVERT TO THE GENERAL FUND, AND THE STATE TREASURER AND THE CONTROLLER SHALL TRANSFER SUCH MONEY TO THE HOUSING ASSISTANCE FOR PERSONS TRANSITIONING FROM THE CRIMINAL OR JUVENILE JUSTICE SYSTEM CASH FUND CREATED PURSUANT TO SECTION 24-32-723.5 (4).

SECTION 5. In Colorado Revised Statutes, 39-28.8-501, **amend** (2)(b)(IV)(K) and (2)(b)(IV)(L); and **add** (2)(b)(IV)(M) as follows:

39-28.8-501. Marijuana tax cash fund - creation - distribution - legislative declaration. (2) (b) (IV) Subject to the limitation in subsection (5) of this section, the general assembly may annually appropriate any money in the fund for any fiscal year following the fiscal year in which they were received by the state for the following purposes:

(K) Grants to local governments for documented retail marijuana impacts through the local government retail marijuana impact grant program created in section 24-32-117; ~~C.R.S., and~~

(L) For the Colorado veterans' service-to-career pilot program created in part 2 of article 14.3 of title 8; ~~C.R.S.~~ AND

(M) FOR HOUSING, RENTAL ASSISTANCE, AND REENTRY ASSISTANCE PURSUANT TO SECTION 24-32-723.5.

SECTION 6. Appropriation. For the 2017-18 state fiscal year, $4,000,000 is appropriated to the department of local affairs for use by the division of housing. This appropriation is from the marijuana tax cash fund established pursuant to section 39-28.8-501, C.R.S. To implement this act, the division may use this appropriation to provide housing, rental assistance, and reentry services to persons described in section 24-32-723.5, C.R.S.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

State, Veterans, & Military Affairs

The Committee on State, Veterans, & Military Affairs has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO BOARD OF VETERANS AFFAIRS

for a term expiring June 30, 2019:

Patricia Jane Hammon, RN, of Eagle, Colorado, a Democrat and a veteran who has been honorably released or separated from the armed forces of the United States, and occasioned by the resignation of Christopher Michael Holden of Colorado Springs, Colorado, appointed;

for a term expiring June 30, 2020:

Robert Frances McLaughlin of Colorado Springs, Colorado, an Unaffiliated, and a veteran who has been honorably released or separated from the armed forces of the United States, appointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB17-212** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1001** be postponed indefinitely.

Education

After consideration on the merits, the Committee recommends that **SB17-200** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, line 8, strike "RURAL" and substitute "A SMALL RURAL DISTRICT".

Page 5, line 10, strike "AREA." and substitute "AREA, AND THAT ENROLLS FEWER THAN ONE THOUSAND STUDENTS IN KINDERGARTEN THROUGH TWELFTH GRADE.".

Page 6, line 7, strike "TEN" and substitute "SIX".

Page 6, line 9, strike "TWENTY" and substitute "TWELVE".

Page 6, line 26, strike "TWENTY" and substitute "TWELVE".

Page 7, line 4, strike "THIRTY-FIVE" and substitute "FIFTEEN".

Page 7, line 6, strike "SIXTY-FIVE" and substitute "EIGHTY-FIVE".

SENATE SERVICES REPORT

Correctly Printed: SJR17-018.
Correctly Engrossed: SB17-181, 182, and 191.
Correctly Rerevised: HB17-1076, 1107, 1148, and 1180.
Correctly Enrolled: SB17-024, 031, 110, 122, 123, 124, 134, and 194; SJR17-015 and 016.

MESSAGE FROM THE HOUSE

March 16, 2017

Mr. President:

The Speaker has appointed Representatives Landgraf and Arndt and Mitsch Bush as House conferees on the First Conference Committee on SB17-100.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order to consider resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-018 by Senator(s) Grantham and Kagan; also Representative(s) Rosenthal and Wist--Concerning recognizing the special relationship between the United Kingdom and Colorado.

On motion of President Grantham, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Guzman, Hill, Holbert, Jahn, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

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:

SB17-181 by Senator(s) Gardner; also Representative(s) Willett--Concerning modification of the collateral-source rule in civil litigation in which a party has insurance coverage.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Grantham, Holbert, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg, and Tate.

SB17-182 by Senator(s) Gardner; also Representative(s) Neville P. and Willett--Concerning a limitation on the obligation to cover damages arising out of a motor vehicle accident when uninsured motorist insurance may cover the same damages.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg, and Tate.

SB17-191 by Senator(s) Tate; also Representative(s) Wist and Willett--Concerning market-based rates for interest on judgments.

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	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Holbert, Jahn, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, and Sonnenberg.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Neville was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1059 by Representative(s) Thurlow, Arndt; also Senator(s) Tate, Kerr, Moreno--Concerning the scheduled repeal of reports by the department of public safety to the general assembly.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 14, page(s) 423-424 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1147 by Representative(s) Sias; also Senator(s) Kagan--Concerning defining the purposes of community corrections programs.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Neville, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1059 as amended, HB17-1147.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (HB17-1123) of Thursday, March 16 was laid over until Friday, March 24, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-033 by Senator(s) Aguilar; also Representative(s) Lawrence--Concerning the authority of a professional nurse to delegate dispensing authority for over-the-counter medications.

Senator Aguilar moved that the Senate concur in House amendments to **SB17-033**, as printed in House journal, March 14, page 506. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointment was confirmed by the following roll call vote:

MEMBER OF THE
STATE PERSONNEL BOARD

for a term expiring June 30, 2019:

Neil Peck of Denver, Colorado, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, March 15, 2017, at 11:29 a.m.: SB17-008, 011, 041, and 060.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Business, Labor, & Technology

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
BOARD OF MORTGAGE LOAN ORIGINATORS

for terms expiring August 10, 2020:

Cynthia "Cindy" Emerine of Evergreen, Colorado, a licensed mortgage loan originator, appointed;

Miriam Pena Garcia of Denver, Colorado, to serve as a member of the public at large, appointed;

Bruce Michael Jordan of Centennial, Colorado, a licensed mortgage loan originator, reappointed.

Business, Labor, & Technology

The Committee on Business, Labor, & Technology 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
STATEWIDE INTERNET PORTAL AUTHORITY

for a term expiring June 1, 2020:

Honorable Lew Gaiter III of Fort Collins, Colorado, to serve as a representative of local government, reappointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-203** 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 5, strike "SECTION:" and substitute "SECTION, "STEP".

Page 2, line 6, strike "(a) "STEP".

Page 2, strike lines 12 through 15.

Page 3, line 1, strike "WHEN:" and substitute "WHEN THE".

Page 3, strike lines 2 and 3.

Page 3, line 4, strike "(b) THE" and strike "A" and substitute "THE".

Page 3, line 6, strike "PRESCRIPTION".

Page 3, line 7, strike "BY THE MANUFACTURER".

Page 3, strike line 8 and substitute "EFFECTIVENESS OR AN ADVERSE EVENT.".

Page 3, strike lines 9 through 26.

Page 1, line 102, strike "**THERAPY, AND, IN**" and substitute "**THERAPY WHEN THE COVERED PERSON HAS ALREADY TRIED A STEP-THERAPY REQUIRED DRUG.**".

Page 1, strike lines 103 through 105.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB17-1120** be referred to the Committee on Appropriations with favorable recommendation.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB17-1051** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

March 16, 2017

Mr. President:

The House has adopted and returns herewith SJR17-018.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and referred to the committees indicated:

SJR17-019 by Senator(s) Baumgardner and Todd; also Representative(s) Rankin and Rosenthal--Concerning the designation of March 20, 2017, as "Colorado Aerospace Day".

Laid over until Monday, March 20, retaining its place on the calendar.

SJR17-020 by Senator(s) Williams A.; also Representative(s) Jackson--Concerning designating the fourth Thursday in March as "Tuskegee Airmen Commemoration Day".

Laid over until Thursday, March 23, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB17-231 by Senator(s) Moreno, Kerr, Martinez Humenik, Tate; also Representative(s) Thurlow, Arndt, Hooton, Nordberg--Concerning the scheduled repeal of reports by the department of transportation to the general assembly.
Transportation

SB17-232 by Senator(s) Fenberg, Court; also Representative(s) Rosenthal--Concerning continuation under the sunset law of the bingo-raffle advisory board, and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies.
State, Veterans, & Military Affairs

SB17-233 by Senator(s) Tate, Kerr, Martinez Humenik, Moreno; also Representative(s) Arndt, Hooton, Nordberg, Thurlow--Concerning the scheduled repeal of reports by the department of law to the general assembly.
Judiciary

SB17-234 by Senator(s) Kerr, Martinez Humenik, Moreno, Tate; also Representative(s) Thurlow, Arndt, Hooton, Nordberg--Concerning the scheduled repeal of reports by the department of human services to the general assembly.
Health & Human Services

SB17-235 by Senator(s) Crowder; --Concerning an authorization of a pilot program to allow amphibious seaplanes to operate in designated state parks.
Agriculture, Natural Resources, & Energy

SB17-236 by Senator(s) Coram; also Representative(s) Weissman--Concerning the continuation of the regulation of bail bonding agents regulated by article 23 of title 10, Colorado revised statutes, by the division of insurance, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.
Judiciary

SB17-237 by Senator(s) Gardner and Marble; --Concerning the age of employees permitted to sell alcohol beverages at specified establishments licensed to sell alcohol beverages for consumption on the licensed premises.
Business, Labor, & Technology

SB17-238 by Senator(s) Holbert; also Representative(s) Neville P. and Wist, Everett--Concerning the notifications that retailers that do not collect Colorado sales tax must provide.
Finance

SB17-239 by Senator(s) Williams A. and Martinez Humenik, Tate; also Representative(s) Singer and Thurlow, Pabon--Concerning additional authority for the controller to allow nonmonetary adjustments for information technology capital projects in certain circumstances.
Business, Labor, & Technology

SB17-240 by Senator(s) Jahn and Tate; also Representative(s) Winter--Concerning the continuation of the regulation of persons who sell vehicles in the ordinary course of business, and, in connection therewith, implementing the recommendations of the sunset report of the department of regulatory agencies.
Business, Labor, & Technology

SB17-241 by Senator(s) Tate, Kerr, Martinez Humenik, Moreno; also Representative(s) Hooton, Arndt, Nordberg, Thurlow--Concerning the scheduled repeal of reports by the judicial department to the general assembly.
Judiciary

SB17-242 by Senator(s) Martinez Humenik; --Concerning modernizing terminology in the Colorado Revised Statutes related to behavioral health.
Health & Human Services

SB17-243 by Senator(s) Baumgardner and Todd; also Representative(s) Jackson--Concerning the continuation under the sunset law of the motorcycle operator safety training program by the director of the office of transportation safety in the department of transportation, and, in connection therewith, transferring the operation of the program to the chief of the state patrol beginning in 2018.
Transportation

SB17-244 by Senator(s) Priola; also Representative(s) Gray--Concerning retail food establishment license fees.
Business, Labor, & Technology

SB17-245 by Senator(s) Priola; also Representative(s) Pabon--Concerning a twenty-one-day notice requirement in tenancies of one month or more but less than one year.
Local Government

SB17-246 by Senator(s) Martinez Humenik; --Concerning modernizing terminology relating to mental health disorders, and, in connection therewith, renaming the "legislative oversight committee concerning the treatment of persons with mental illness in the criminal and juvenile justice systems" to the "legislative oversight committee concerning the treatment of persons with mental health disorders in the criminal and juvenile justice systems" and making a corresponding change to the name of the associated task force.
Health & Human Services

SB17-247 by Senator(s) Priola, Scott, Jahn, Martinez Humenik; --Concerning the qualifications of electricians, and, in connection therewith, allowing only persons who have passed the written residential wireman's examination to act as residential inspectors and waiving the continuing education requirement during the first license period for an electrician who passed the appropriate written examination.
Business, Labor, & Technology

SB17-248 by Senator(s) Hill and Merrifield; also Representative(s) Lee and Liston, Exum, Landgraf--Concerning the authority of the Colorado economic development commission to approve modifications to a previously approved regional tourism project.
Finance

SB17-249 by Senator(s) Smallwood and Williams A.; also Representative(s) Ginal--Concerning the continuation of the division of insurance, and, in connection therewith, implementing the recommendations contained in the 2016 sunset report by the department of regulatory agencies.
Business, Labor, & Technology

SB17-250 by Senator(s) Marble and Neville T.; also Representative(s) Lebsock and Neville P., Ransom--Concerning the exemption of a student from the requirement of immunizations for attendance at school.
Health & Human Services

SB17-251 by Senator(s) Tate; --Concerning access to the department of revenue's records concerning ownership interests in motor vehicles by certain state-regulated entities.
Business, Labor, & Technology

SB17-252 by Senator(s) Tate; --Concerning the authority of a board of any political subdivision to enter into contracts for utility cost savings.
Local Government

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-077, 109, 196, and 197; HB17-1023, 1039, 1071, 1096, and 1142; HJR17-1015.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, March 17, 2017. ♣

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

66th Legislative Day Friday, March 17, 2017

Prayer — By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

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 Fenberg.

Reading of the Journal — On motion of Senator Moreno, reading of the Journal of Thursday, March 16, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance — After consideration on the merits, the Committee recommends that **SB17-192** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend the Business, Labor, & Technology Committee Report, dated March 8, 2017, page 1, strike lines 3 through 24 and substitute the following:

"SECTION 1. In Colorado Revised Statutes, 12-43.3-202, **amend** (1)(a) as follows:

12-43.3-202. Powers and duties of state licensing authority - rules. (1) The state licensing authority shall:

(a) Grant or refuse state licenses for the cultivation, manufacture, distribution, and sale of medical marijuana as provided by law; suspend, fine, restrict, or revoke such licenses, WHETHER ACTIVE, EXPIRED, OR SURRENDERED, upon a violation of this ~~article~~ ARTICLE 43.3, or a rule promulgated pursuant to this ~~article~~ ARTICLE 43.3; and impose any penalty authorized by this ~~article~~ ARTICLE 43.3 or any rule promulgated pursuant to this ~~article~~ ARTICLE 43.3. The state licensing authority may take any action with respect to a registration pursuant to this ~~article~~ ARTICLE 43.3 as it may with respect to a license pursuant to this ~~article~~ ARTICLE 43.3, in accordance with the procedures established pursuant to this ~~article~~ ARTICLE 43.3.".

Page 2, strike lines 1 through 37.

Page 3, line 2, after "AUTHORITY" insert "AND SUBJECT TO THE CONDITIONS", and strike "THE TRANSFER".

Page 3, strike lines 3 through 41.

Strike pages 4 through 6.

Page 7, strike lines 1 through 25.

Renumber succeeding sections accordingly.

Page 7, line 26, after "**amend**" insert "(2)(a),".

Page 7, line 27, strike "portion" and substitute "portion,".

Page 7, strike line 30 and substitute:
"**rules.** (2) The state licensing authority has the authority to:

(a) Grant or refuse state licenses for the cultivation, manufacture, distribution, sale, and testing of retail marijuana and retail marijuana products as provided by law; suspend, fine, restrict, or revoke such licenses, WHETHER ACTIVE, EXPIRED, OR SURRENDERED, upon a violation of this ~~article~~ ARTICLE 43.4 or any rule promulgated pursuant to this ~~article~~ ARTICLE 43.4; and impose any penalty authorized by this ~~article~~ ARTICLE 43.4 or any rule promulgated pursuant to this ~~article~~ ARTICLE 43.4. The state licensing authority may take any action with respect to a registration pursuant to this ~~article~~ ARTICLE 43.4 as it may with respect to a license pursuant to this ~~article~~ ARTICLE 43.4, in accordance with the procedures established pursuant to this ~~article~~ ARTICLE 43.4.

(3) (a) Rules promulgated pursuant to ~~paragraph (b) of subsection~~".

Page 7, strike lines 34 through 36 and substitute:
"(XXI) ONE-TIME COMPLETE INVENTORY CONVERSION AND LICENSE SURRENDER.".

Page 7, strike lines 39 through 41 and substitute:
"**12-43.4-401. Classes of licenses.** (5) (a) A RETAIL MARIJUANA STORE, RETAIL MARIJUANA CULTIVATION FACILITY, OR RETAIL MARIJUANA PRODUCTS MANUFACTURER THAT LAWFULLY POSSESSES RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS MAY ENGAGE IN A ONE-TIME COMPLETE INVENTORY CONVERSION AND LICENSE SURRENDER UNDER THE FOLLOWING CONDITIONS:

(I) (A) THE RETAIL MARIJUANA LICENSEE PROVIDES WRITTEN NOTICE TO THE STATE LICENSING AUTHORITY ON A FORM APPROVED BY AND IN A MANNER PRESCRIBED BY THE STATE LICENSING AUTHORITY. THE NOTICE MUST IDENTIFY EACH MEDICAL MARIJUANA CENTER, MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURER, OR MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION THAT WILL RECEIVE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS AS A RESULT OF THE INVENTORY CONVERSION AND SHALL IDENTIFY THE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS THAT WILL BE TRANSFERRED AS A RESULT OF THE INVENTORY CONVERSION.

(B) THE WRITTEN NOTICE MUST INCLUDE EVIDENCE THAT ANY APPLICABLE EXCISE TAX DUE PURSUANT TO ARTICLE 28.8 OF TITLE 39 HAS BEEN PAID; EXCEPT THAT, IN THE CASE OF A RETAIL MARIJUANA CULTIVATION FACILITY, ANY UNPAID APPLICABLE EXCISE TAX DUE PURSUANT TO ARTICLE 28.8 OF TITLE 39 SHALL BE PAID AT THE TIME OF TRANSFER FROM THE RETAIL MARIJUANA CULTIVATION FACILITY.

(II) THE RETAIL MARIJUANA LICENSEE SHALL HAVE ONE HUNDRED EIGHTY DAYS AFTER PROVIDING THE TRANSFER WRITTEN NOTICE TO THE STATE LICENSING AUTHORITY TO COMPLETE THE INVENTORY CONVERSION. ANY RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCT NOT TRANSFERRED AS PART OF AN INVENTORY CONVERSION WITHIN ONE HUNDRED EIGHTY DAYS FROM THE DATE OF THE WRITTEN NOTICE TO THE STATE LICENSING AUTHORITY SHALL BE DESTROYED IN ACCORDANCE WITH THE STATE LICENSING AUTHORITY'S RULES.

(III) THE RETAIL MARIJUANA LICENSEE'S LICENSE SHALL BE DEEMED SURRENDERED ONE HUNDRED EIGHTY DAYS DAYS FROM THE DATE OF THE WRITTEN NOTICE TO THE STATE LICENSING AUTHORITY.

(IV) UPON AN INVENTORY CONVERSION AND LICENSE SURRENDER IN COMPLIANCE WITH THIS SUBSECTION (5), THE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCT TRANSFERRED SHALL BE DEEMED MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS.

(V) A MEDICAL MARIJUANA CENTER, MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURER, OR MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION RECEIVING RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCT PURSUANT TO THIS SECTION THAT CAUSES THE MEDICAL MARIJUANA LICENSEE TO EXCEED THE INVENTORY LIMITS PRESCRIBED BY ARTICLE 43.3 OF TITLE 12 SHALL FULLY COMPLY WITH THE INVENTORY LIMITS WITHIN SIX MONTHS FROM THE DATE THE INVENTORY CONVERSION IS COMPLETE.

(VI) A MEDICAL MARIJUANA CENTER, MEDICAL

MARIJUANA-INFUSED PRODUCTS MANUFACTURER, OR MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION RECEIVING RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCT PURSUANT TO THIS SUBSECTION (5) MAY ONLY RECEIVE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCT IF IT IS LAWFUL FOR IT TO POSSESS THE CORRESPONDING TYPE OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS.

(b) (I) A RETAIL MARIJUANA STORE, RETAIL MARIJUANA CULTIVATION FACILITY, OR RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSE THAT IS SUBJECT TO A SUSPENSION IS NOT ELIGIBLE FOR AN INVENTORY CONVERSION AND LICENSE SURRENDER PURSUANT TO THIS SUBSECTION (5).

(II) RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCT SUBJECT TO ADMINISTRATIVE HOLD SHALL NOT BE SUBJECT TO AN INVENTORY CONVERSION.".

Page 8, strike lines 1 through 15.

Page 8, line 39, strike "FACILITIES," and substitute "FACILITIES OR".

Page 8, line 40, strike "OR OTHER RETAIL MARIJUANA CULTIVATION FACILITIES,".

Page 9, strike lines 4 and 5 and substitute "RATE" MUST INCLUDE ONE OR MORE RATES THAT COVER UNPROCESSED MARIJUANA THAT IS ALLOCATED TO EXTRACTIONS, AND THE INITIAL RATES FOR THESE PRODUCT TYPES MUST".

Finance

After consideration on the merits, the Committee recommends that **SB17-185** be postponed indefinitely.

Trans-portation

After consideration on the merits, the Committee recommends that **SB17-213** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 5 and 6 and substitute "systems can save lives and improve mobility;".

Page 2, line 13, after "systems" insert "could".

Page 2, strike lines 17 and 18 and substitute:

"(f) The testing and deployment of these".

Page 2, line 20, after the semicolon add "and".

Page 2, strike lines 21 through 25 and substitute:

"(g) As automated vehicles are tested and deployed in Colorado, the public safety will continue to be a top consideration and priority for the General Assembly for all vehicles and pedestrians.".

Page 3, strike lines 19 through 23 and substitute:

"(b) A STATE AGENCY OR A POLITICAL SUBDIVISION OF THE STATE SHALL NOT ADOPT OR ENFORCE A POLICY, RULE, OR ORDINANCE THAT SETS STANDARDS FOR AN AUTOMATED DRIVING SYSTEM THAT ARE DIFFERENT FROM THE STANDARDS SET FOR A HUMAN DRIVER.".

SENATE SERVICES REPORT

Correctly Printed: SB17-231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, and 252; SJR17-019 and 020.
Correctly Engrossed: SJR17-018.
Correctly Reengrossed: SB17-181, 182, and 191.
Correctly Revised: HB17-1059 and 1147.
Correctly Enrolled: SB17-033.

MESSAGE FROM THE HOUSE

March 16, 2017

Mr. President:

The House has postponed indefinitely SB17-055, 120, 158. The bills are returned herewith.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-017 by Senator(s) Holbert and Smallwood; also Representative(s) Neville P. and Ransom--Concerning the designation of a portion of United States Interstate Highway 25 as the "Trooper Donahue and Trooper Jursevics Move Over Safety Awareness Corridor".

Amendment No. 1(L.001), by Senator Holbert.

Amend printed joint resolution, page 3, line 10, strike "Jursevics;" and substitute "Jursevics and mother Jolene Torres;".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Senator Holbert, the resolution, as amended, was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1059 by Representative(s) Thurlow, Arndt; also Senator(s) Tate, Kerr, Moreno--Concerning the scheduled repeal of reports by the department of public safety to the general assembly.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham and Martinez Humenik.

HB17-1147 by Representative(s) Sias; also Senator(s) Kagan--Concerning defining the purposes of community corrections programs.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Fields, Grantham, Guzman, Jahn, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Tate, and Todd.

Upon request of Majority Leader Holbert, **SB17-193** and **SB17-230** were removed from the General Orders--Second Reading of Bills Consent Calendar of Friday, March 17, 2017, and placed at the end of the General Orders--Second Reading of Bills Calendar of Friday, March 17, 2017.

Committee of the Whole

On motion of Senator Priola, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Priola was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-096 by Senator(s) Lambert, Cooke, Grantham, Lundberg; also Representative(s) Lundeen, Williams D.--Concerning creation of a grant program to support a shared peace officer auxiliary.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, March 15, page 432 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1149 by Representative(s) Exum and Michaelson Jenet; also Senator(s) Gardner--Concerning special license plates issued to members of the United States military who served in the United States Army special forces.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Priola, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-096 as amended, HB17-1149.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, **SB17-040** was laid over until Tuesday, March 21, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Calendar (SB17-071, SB17-116, SB17-074, SB17-111, HB17-1151, HB17-1103, SB17-193, SB17-230) of Friday, March 17 was laid over until Monday, March 20, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
COLORADO HOUSING AND FINANCE AUTHORITY
BOARD OF DIRECTORS

for a term expiring July 1, 2019:

Max Tyler of Lakewood, Colorado, to serve as a member representing the public, and occasioned by the resignation of Charles Kenneth Knight of Denver, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
COLORADO LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2020:

Cynthia D. Mares of Centennial, Colorado, representing registered electors, and as a Democrat, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

COMMITTEE OF REFERENCE REPORTS (cont'd)

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SJR17-013** be amended as follows, and as so amended, be referred out to the Senate for final action.

Amend printed resolution, page 1, lines 1 and 2, strike "total phosphorus (TP) and total inorganic nitrogen (TIN)" and substitute "phosphorus and nitrogen".

Page 2, line 2, strike "TP and TIN" and substitute "nutrients".

Page 2, line 5, strike "TP and TIN;" and substitute "nutrients;".

Page 2, line 29, strike "requirements for TP and TIN;" and substitute "requirements;".

Page 3, line 8, strike "recovery of TP" and substitute "treatment of phosphorus".

Page 3, line 9, strike "will necessarily" and substitute "can".

Page 3, line 12, strike "restrictions;" and substitute "restrictions, necessitating additional time to develop alternative phosphorus recovery methods;".

Page 3, line 14, strike "requires" and substitute "is beyond the limits of technology, and reaching the limits of technology would require".

Page 3, line 20, after the comma add "nonpoint sources,".

Page 3, line 26, strike "TP and TIN" and substitute "nutrients".

Page 3, after line 35 insert:

"WHEREAS, stakeholders have been participating in an established Water Quality Forum workgroup process to evaluate regulatory alternatives prior to the Commission's scheduled rule-making hearing regarding Regulation #85 and Regulation #31 in October 2017; and".

Page 4, strike lines 9 and 10 and substitute "public to continue to".

Page 4, line 27, strike "triennial review of" and substitute "scheduled rule-making hearing regarding".

Page 4, line 31, strike "February 28," and substitute "May 1,".

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for terms expiring January 31, 2020:

Peter Butler of Durango, Colorado, to serve as a person with appropriate technical and scientific experience, reappointed;

Charles George Grobe of Craig, Colorado, to serve as a person with appropriate industrial experience, reappointed; and

Anthony Gerber of Denver, Colorado, to serve as a person with appropriate scientific experience, reappointed.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for terms expiring January 31, 2019:

William R. Toor of Boulder Colorado, to serve as a representative with technical and private sector experience, reappointed;

Jana Beth Milford of Boulder, Colorado, to serve as a representative with legal and scientific experience, reappointed.

Health & Human Services

The Committee on Health & Human Services 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 COMMISSION ON THE AGING

for a term expiring July 1, 2020:

Connie Mae Ring of Springfield, Colorado, to serve as an Unaffiliated from the Fourth Congressional District, appointed.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO COMMISSION ON THE AGING

for terms expiring July 1, 2020:

Julie Hoerner Mowry of Denver, Colorado, to serve as an Unaffiliated the First Congressional District, appointed;

Ruth Elaine Long of Fort Collins, Colorado, to serve as a Democrat from the Second Congressional District, reappointed;

Debra Kay Bailey of Grand Junction, Colorado, to serve as a Republican from the Third Congressional District, reappointed;

Marvin Joseph Urban of Colorado Springs, Colorado, to serve as a Democrat from the Fifth Congressional District, reappointed.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
MEDICAL SERVICES BOARD

for terms expiring July 1, 2020:

Donna Marie Roberts, BSN, RN of Laird, Colorado, to serve as a resident of the 4th Congressional District, a Democrat, with knowledge of medical assistance programs, reappointed;

Christy Strong Blakely of Littleton, Colorado, to serve as a resident of the Sixth Congressional District, a Republican, and as a family member of a person with a disability, reappointed; and

L. Charlotte "Charlie" Lippolis, DO, MPH of Evergreen, Colorado, to serve as a resident of the Second Congressional District, an Unaffiliated, with experience in caring for medically underserved children, appointed.

_____

MESSAGE FROM THE GOVERNOR

March 16th, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-034: CONCERNING EXTENSION OF THE PERIOD FOLLOWING THE DECLARATION BY THE GOVERNOR OF A DISASTER EMERGENCY IN A COUNTY WITHIN WHICH THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY MAY TRANSFER COUNTY GENERAL FUND MONEY TO THE COUNTY ROAD AND BRIDGE FUND FOR THE PURPOSES OF DISASTER RESPONSE AND RECOVERY.

Approved March 16, 2017 at 2:43pm

SB17-056: CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO THE GENERAL ASSEMBLY.

Approved March 16, 2017 at 2:45pm

SB17-050: CONCERNING THE CONSOLIDATION OF GRANT PROGRAMS RELATING TO FOREST MANAGEMENT.

Approved March 16, 2017 at 2:47pm

SB17-090: CONCERNING HOW TO MEASURE THE LEVEL OF DELTA-9 TETRAHYDROCANNABINOL IN INDUSTRIAL HEMP.

Approved March 16, 2017 at 2:56pm

SB17-026: CONCERNING REQUIREMENTS GOVERNING IMPLEMENTATION OF THE STATE ENGINEER'S FUNCTIONS, AND, IN CONNECTION THEREWITH, RESTRUCTURING THE FEE THAT THE STATE ENGINEER MAY CHARGE FOR RATING CERTAIN TYPES OF WATER INFRASTRUCTURE, REPEALING CERTAIN REQUIREMENTS, AND UPDATING LANGUAGE IN THE STATUTES REGARDING THE DIVISION OF WATER RESOURCES.

Approved March 16, 2017 at 3:31pm

SB17-030: CONCERNING THE EXEMPTION FROM THE SCHEDULES OF CONTROLLED SUBSTANCES ANY ANABOLIC STEROID THAT IS ADMINISTERED THROUGH INJECTION INTO NONHUMAN SPECIES.

Approved March 16, 2017 at 3:31pm

SB17-127: CONCERNING AN EXPANSION OF THE EXEMPTION FROM THE REQUIREMENTS THAT APPLY TO A MORTGAGE LOAN ORIGINATOR TO INCLUDE UP TO THREE LOANS PER YEAR WITHOUT COMPENSATION BETWEEN FAMILY MEMBERS.

Approved March 16, 2017 at 3:31pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, March 16, 2017, at 4:48 p.m.: SB17-077, 109, 196, and 197.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

March 17, 2017

Mr. President:

The House has adopted and returns herewith SJR17-017.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

SJR17-021 by Senator(s) Martinez Humenik; --Concerning recognition of "Single Parents' Day".

Laid over until Tuesday, March 21, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB17-1070 by Representative(s) Wilson; also Senator(s) Coram and Donovan--Concerning the use of unmanned aircraft systems to perform government functions relating to certain public-safety functions, and, in connection therewith, requiring the center of excellence within the department of public safety to perform a study and operate a pilot program.
Agriculture, Natural Resources, & Energy

HB17-1110 by Representative(s) Beckman; also Senator(s) Todd--Concerning juvenile court jurisdiction regarding matters related to parental responsibilities in a juvenile delinquency case.
Judiciary

HB17-1122 by Representative(s) Esgar, Ginal, Rosenthal, Michaelson Jenet, Herod, Garnett; also Senator(s) Moreno, Guzman--Concerning the issuance of a new birth certificate with a gender designation that differs from the gender designated on the person's original birth certificate.
State, Veterans, & Military Affairs

HB17-1138 by Representative(s) Salazar, Herod, Rosenthal, Esgar, Melton, Jackson, Pabon, Gray, Ginal, Mitsch Bush, Valdez, Hansen, Buckner, Coleman, Danielson, Exum, Hooton, Lontine, McLachlan, Michaelson Jenet, Pettersen, Winter; also Senator(s) Williams A.--Concerning the reporting of hate crimes by law enforcement agencies.
Judiciary

HB17-1158 by Representative(s) McKean; also Senator(s) Smallwood and Martinez Humenik--Concerning the regulation of charitable solicitations by the secretary of state, and, in connection therewith, modifying and clarifying filing requirements and enforcement of the "Colorado Charitable Solicitations Act".
State, Veterans, & Military Affairs

HB17-1174 by Representative(s) Wilson, McLachlan, Valdez; also Senator(s) Crowder and Guzman--Concerning the establishment of an exception for rural counties from the limitations on the establishment of a local improvement district to fund the construction of a telecommunications service improvement for advanced service.
Local Government

HB17-1196 by Representative(s) Arndt; also Senator(s) Priola--Concerning changes to the training requirements for applicants for licensure under the "Barber and Cosmetologist Act".
Business, Labor, & Technology

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, March 20, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

69th Legislative Day Monday, March 20, 2017

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Smallwood.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Friday, March 17, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SJR17-021.
Correctly Engrossed: SB17-096; SJR17-017.
Correctly Revised: HB17-1149.
Correctly Rerevised: HB17-1059 and 1147.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege, then to consideration of resolutions.

Senate in recess. Senate reconvened.

The Senate proceeded out of order for moments of personal privilege.

CONSIDERATION OF RESOLUTIONS

SJR17-019 by Senator(s) Baumgardner and Todd; also Representative(s) Rankin and Rosenthal--Concerning the designation of March 20, 2017, as "Colorado Aerospace Day".

On motion of Senator Baumgardner, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Williams A., and Zenzinger.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

SJR17-022 by Senator(s) Donovan; also Representative(s) Hamner and Rankin, Mitsch Bush--Concerning Colorado Mountain College's 50 years of service and education to the state of Colorado, and, in connection therewith, recognizing the notable achievements and contributions of the College and its graduates.

Laid over until Thursday, March 23, retaining its place on the calendar.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB17-096 by Senator(s) Lambert, Cooke, Grantham, Lundberg; also Representative(s) Lundeen, Williams D.--Concerning creation of a grant program to support a shared peace officer auxiliary, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Gardner, Hill, Kagan, Martinez Humenik, Scott, Tate, and Todd.

HB17-1149 by Representative(s) Exum and Michaelson Jenet; also Senator(s) Gardner--Concerning special license plates issued to members of the United States military who served in the United States Army special forces.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Fields, Grantham, Hill, Lambert, Lundberg, Marble, Martinez Humenik, Priola, Scott, Tate, Todd, and Williams A.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1152 by Representative(s) Willett and Mitsch Bush; also Senator(s) Scott--Concerning the authority of a federal mineral lease district to manage a portion of the direct distribution of money from the local government mineral impact fund to counties for the benefit of impacted areas.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1035 by Representative(s) Jackson; also Senator(s) Cooke--Concerning allowing certain crime victims to break their rental agreements under certain circumstances.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 16, page 446 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1101 by Representative(s) Rosenthal; also Senator(s) Priola and Todd--Concerning the creation of the youth corrections monetary incentives award program in the division of youth corrections.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1111 by Representative(s) Beckman; also Senator(s) Fields--Concerning allowing juvenile courts to enter civil protection orders in dependency and neglect cases.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1051 by Representative(s) Rankin and Garnett; also Senator(s) Coram and Kerr--Concerning modernization of the Colorado "Procurement Code".

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Hill, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1152, HB17-1035 as amended, HB17-1101, HB17-1111, HB17-1051.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB17-071, SB17-116, SB17-074, SB17-111, HB17-1151, HB17-1103, SB17-193, SB17-230, SB17-117, SB17-200, SB17-203) of Monday, March 20 was laid over until Tuesday, March 21, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for terms expiring June 1, 2020:

Jesse Niles True of Dillon, Colorado, to serve as a representative of the ski industry, appointed;

Andrea Fulton of Wheat Ridge, Colorado, to serve as a representative of private travel attractions and casinos, reappointed;

Daniel R. Grunig of Denver, Colorado, to serve as a representative of tourism-related retail industry, small community, and small business, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO BOARD OF VETERANS AFFAIRS

for a term expiring June 30, 2019:

Patricia Jane Hammon, RN, of Eagle, Colorado, a Democrat and a veteran who has been honorably released or separated from the armed forces of the United States, and occasioned by the resignation of Christopher Michael Holden of Colorado Springs, Colorado, appointed.

for a term expiring June 30, 2020:

Robert Frances McLaughlin of Colorado Springs, Colorado, an Unaffiliated, and a veteran who has been honorably released or separated from the armed forces of the United States, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
BOARD OF MORTGAGE LOAN ORIGINATORS

for terms expiring August 10, 2020:

Cynthia “Cindy” Emerine of Evergreen, Colorado, a licensed mortgage loan originator, appointed;

Bruce Michael Jordan of Centennial, Colorado, a licensed mortgage loan originator, reappointed;

Miriam Pena Garcia of Denver, Colorado, to serve as a member of the public at large, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
STATEWIDE INTERNET PORTAL AUTHORITY

for a term expiring June 1, 2020:

Honorable Lew Gaiter III of Fort Collins, Colorado, to serve as a representative of local government, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-073; SJR17-018; HB17-1015, 1044, 1048, 1065, 1092, 1133, 1136, and 1157.

Journal correction:

Page 462, line 17, strike "SB17-020, 155, 158." and substitute "SB17-055, 120, 158.".

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, March 21, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

70th Legislative Day Tuesday, March 21, 2017

Prayer — By the chaplain, Dan File, Capitol Commission, Lake City.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Absent--1, Tate.
Present later--1, Tate.

Quorum — The President announced a quorum present.

Pledge — By Senator Smallwood.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Monday, March 20, 2017, 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 **HB17-1125** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1083** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1109** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1183** 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 **SB17-209** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 19, line 11, strike "CAUSE" and substitute "EITHER CAUSE".

Page 19, line 14, strike "CANDIDATE; AND" and substitute "CANDIDATE OR REPRINT THE SAMPLE BALLOT WITH THE NAME OF THE REPLACEMENT CANDIDATE IN A DIFFERENT COLOR; AND".

Page 22, line 15, strike "CAUSE" and substitute "EITHER CAUSE".

Page 22, line 18, strike "CANDIDATE; AND" and substitute "CANDIDATE OR REPRINT THE SAMPLE BALLOT WITH THE NAME OF THE REPLACEMENT CANDIDATE IN A DIFFERENT COLOR; AND".

Page 25, line 25, strike "CAUSE" and substitute "EITHER CAUSE".

Page 26, line 1, strike "CANDIDATE; AND" and substitute "CANDIDATE OR REPRINT THE SAMPLE BALLOT WITH THE NAME OF THE REPLACEMENT CANDIDATE IN A DIFFERENT COLOR; AND".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB17-138** 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 3 through 5 and substitute "~~each precinct in the county~~ AT LEAST ONE WATCHER AT ANY ONE TIME IN ANY LOCATION IN WHICH THE CONDUCT OF AN ELECTION OCCURS. THE".

Page 4, strike lines 11 through 13 and substitute "at any one time in ~~each voter service and polling center in the county and at each place where votes are counted in accordance with this article~~ ANY LOCATION IN WHICH THE CONDUCT OF AN ELECTION OCCURS. IN THE CASE OF AN ISSUE COMMITTEE, THE REGISTERED AGENT".

Page 5, strike lines 26 through 27 and substitute:

"**1-7-108. Election watchers - requirements - oath or affirmation - definitions.** (3) (a) (I) Each watcher ~~shall have~~ HAS the right to".

Page 6, line 1, strike "MAY".

Page 6, line 18, strike "BEGINNING THE DUTIES OF A WATCHER," and substitute "WATCHING,".

Page 7, line 3, strike "THE DUTIES OF" and substitute "MY SERVICE AS A".

Page 7, line 6, strike "DUTIES AS" and substitute "SERVICE AS A".

Page 7, line 12, strike "RESULTS" and substitute "TABULATED RESULTS OF THE ELECTION".

Page 8, line 11, after "~~signature.~~" add "NOTHING IN THIS SECTION, THIS CODE, THE "COLORADO MUNICIPAL ELECTION CODE OF 1965", ARTICLE 10 OF TITLE 31, OR THE "COLORADO LOCAL GOVERNMENT ELECTION CODE", ARTICLE 13.5 OF THIS TITLE 1, PROHIBIT A WATCHER APPOINTED IN ACCORDANCE WITH SECTION 1-7-108 FROM OBSERVING THE PROCESS OF SIGNATURE VERIFICATION.".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1187** be postponed indefinitely.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB17-1173** 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 **HB17-1021** 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 **HB17-1145** 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: SJR17-022.
Correctly Engrossed: SJR17-019.
Correctly Reengrossed: SB17-096.
Correctly Revised: HB17-1035, 1051,1101, 1111, and 1152.
Correctly Rerevised: HB17-1149
Correctly Enrolled: SJR17-018.

MESSAGE FROM THE HOUSE

March 20, 2017

Mr. President:

The House has adopted and returns herewith SJR17-019.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

SJR17-023 by Senator(s) Sonnenberg; also Representative(s) Catlin--Concerning the designation of March 22, 2017, as "Colorado Agriculture Day".

Laid over one day under Senate Rule 30(b).

Upon request of Majority Leader Holbert, **HB17-1101** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Tuesday, March 21, 2017, and was placed at the end of the Third Reading of Bills Final Passage Calendar of Tuesday, March 21, 2017.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-021 by Senator(s) Martinez Humenik; also Representative(s) Herod--Concerning recognition of "Single Parents' Day".

On motion of Senator Martinez Humenik, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

CONSIDERATION OF RESOLUTIONS (cont'd)

SJR17-013 by Senator(s) Coram;--Concerning the encouragement of stakeholder input with subsequent legislative review prior to the implementation of additional nutrient discharge controls.

Laid over until Wednesday, March 22, retaining its place on the calendar.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1152 by Representative(s) Willett and Mitsch Bush; also Senator(s) Scott--Concerning the authority of a federal mineral lease district to manage a portion of the direct distribution of money from the local government mineral impact fund to counties for the benefit of impacted areas.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Court, Donovan, Fields, Garcia, Grantham, Guzman, Jahn, Kefalas, Marble, Merrifield, Neville T., Priola, Sonnenberg, Tate, and Todd.

HB17-1035 by Representative(s) Jackson; also Senator(s) Cooke--Concerning allowing certain crime victims to break their rental agreements under certain circumstances.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Guzman, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Moreno, Priola, Tate, Todd, Williams A., and Zenzinger.

HB17-1111 by Representative(s) Beckman; also Senator(s) Fields--Concerning allowing juvenile courts to enter civil protection orders in dependency and neglect cases.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Court, Crowder, Donovan, Gardner, Jahn, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Todd, and Zenzinger.

HB17-1051 by Representative(s) Rankin and Garnett; also Senator(s) Coram and Kerr--Concerning modernization of the Colorado "Procurement Code".

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Gardner, Grantham, Kefalas, Marble, Martinez Humenik, Merrifield, Neville T., Scott, Tate, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1101 by Representative(s) Rosenthal; also Senator(s) Priola and Todd--Concerning the creation of the youth corrections monetary incentives award program in the division of youth corrections.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Guzman, Kagan, Kerr, Merrifield, Moreno, and Tate.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-074 by Senator(s) Garcia, Jahn, Todd; also Representative(s) Esgar--Concerning the creation of a pilot program in certain areas of the state experiencing high levels of opioid addiction to award grants to increase access to addiction treatment.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 9, page(s) 161-162 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 15, page 432 and placed in members' bill files.)

Amendment No. 3(L.009), by Senator Aguilar.

Amend the Health and Human Services Committee Report, dated February 8, 2017, page 1, strike line 11 and substitute "CONTROLLED SUBSTANCES, AND WHO IS UNDER THE SUPERVISION OF A PHYSICIAN TRAINED IN MAT.".".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1103 by Representative(s) Nordberg and Pabon, Williams D.; also Senator(s) Gardner and Moreno--Concerning a state sales and use tax exemption for historic aircraft on loan for public display.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-193 by Senator(s) Jahn and Lundberg, Moreno; also Representative(s) Pettersen and Rankin--Concerning the establishment of the "center for research into prevention strategies for, and treatment of, abuse of and addiction to opioids, other controlled substances, and alcohol" at the university of Colorado health sciences center, and, in connection therewith, making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 24, page 282 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 15, page 432 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-230 by Senator(s) Holbert and Guzman, Grantham; also Representative(s) Becker K. and Neville P., Duran--Concerning payment of expenses of the legislative department.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, March 15, page 433 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1151 by Representative(s) Hansen and Willett; also Senator(s) Kerr and Hill, Gardner--Concerning the regulation of electrical assisted bicycles.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, March 15, page 434 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB17-117 by Senator(s) Coram, Cooke; also Representative(s) Catlin and Valdez--Concerning confirmation that industrial hemp is a recognized agricultural product for which a person with a water right decreed for agricultural use may use the water subject to the water right for industrial hemp cultivation.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, March 16, page 445 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

Majority Leader Holbert moved that the Committee of the Whole rise, report progress, and beg leave to sit again. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for terms expiring January 31, 2019:

William R. Toor of Boulder Colorado, to serve as a representative with technical and private sector experience, reappointed;

Jana Beth Milford of Boulder, Colorado, to serve as a representative with legal and scientific experience, reappointed.

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for terms expiring January 31, 2020:

Peter Butler of Durango, Colorado, to serve as a person with appropriate technical and scientific experience, reappointed;

Charles George Grobe of Craig, Colorado, to serve as a person with appropriate industrial experience, reappointed; and

Anthony Gerber of Denver, Colorado, to serve as a person with appropriate scientific experience, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO COMMISSION ON THE AGING

for terms expiring July 1, 2020:

Julie Hoerner Mowry of Denver, Colorado, to serve as an Unaffiliated the First Congressional District, appointed;

Ruth Elaine Long of Fort Collins, Colorado, to serve as a Democrat from the Second Congressional District, reappointed;

Debra Kay Bailey of Grand Junction, Colorado, to serve as a Republican from the Third Congressional District, reappointed;

Marvin Joseph Urban of Colorado Springs, Colorado, to serve as a Democrat from the Fifth Congressional District, reappointed;

Connie Mae Ring of Springfield, Colorado, to serve as an Unaffiliated from the Fourth Congressional District, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
MEDICAL SERVICES BOARD

for terms expiring July 1, 2020:

Donna Marie Roberts, BSN, RN of Laird, Colorado, to serve as a resident of the 4th Congressional District, a Democrat, with knowledge of medical assistance programs, reappointed;

Christy Strong Blakely of Littleton, Colorado, to serve as a resident of the Sixth Congressional District, a Republican, and as a family member of a person with a disability, reappointed; and

L. Charlotte "Charlie" Lippolis, DO, MPH of Evergreen, Colorado, to serve as a resident of the Second Congressional District, an Unaffiliated, with experience in caring for medically underserved children, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

March 20, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2021:

Miguel "Michael" Rene Elias of Pueblo West, Colorado to serve as a member of the community at large, and as a Republican, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/20/2017
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS

Local Government — After consideration on the merits, the Committee recommends that **HB17-1198** be referred to the Committee of the Whole with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB17-1104** 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 1, line 102, after "**BY**" insert "**AND CERTAIN SPORT-SPECIFIC PRIZE MONEY AWARDED TO**".

Finance — After consideration on the merits, the Committee recommends that **HB17-1027** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 3, after "(4)(b)(II)," insert "(4)(b)(III) introductory portion,".

Page 2, strike line 4 and substitute "(4)(b)(VII); and **add** (4)(b)(VIII) as follows:".

Page 2, line 8, strike "**report.**" and substitute "**report - repeal.**".

Page 5, strike lines 22 through 25 and substitute:

"(VIII) THIS SUBSECTION (4)(b) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.".

Page 5, strike line 27 and substitute "(1)(a)(II) as follows:".

Page 6, line 3, strike"**fund.**" and substitute "**fund - repeal.**".

Page 7, strike line 1 and substitute:

"(B) This ~~subparagraph (II)~~ SUBSECTION (1)(a)(II) is repealed, effective ~~July 1, 2018~~ SEPTEMBER 1, 2027.".

Page 1, line 103, strike "**REMOVING**" and substitute "**EXTENDING**".

Finance — After consideration on the merits, the Committee recommends that **HB17-1144** 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 **SB17-199** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB17-057** be postponed indefinitely.

MESSAGE FROM THE HOUSE

March 21, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1205, amended as printed in House Journal, March 20, 2017.
HB17-1215, amended as printed in House Journal, March 20, 2017.
HB17-1201, amended as printed in House Journal, March 20, 2017.
HB17-1008, amended as printed in House Journal, March 20, 2017.
HB17-1186, amended as printed in House Journal, March 20, 2017.
HB17-1205, amended as printed in House Journal, March 20, 2017.
HB17-1210, amended as printed in House Journal, March 20, 2017.

The House has passed on Third Reading and returns herewith SB17-048, 125, 016, 076

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB17-144, amended as printed in House Journal, March 20, 2017.
SB17-154, amended as printed in House Journal, March 20, 2017.
SB17-062, amended as printed in House Journal, March 20, 2017.

The House has adopted and returns herewith SJR17-021.

The House has voted to concur in the Senate amendments to HB17-1107 and 1059 and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

March 21, 2017

We herewith transmit:

Without comment, as amended, HB17-1008, 1186, 1201, 1205, 1210, and 1215.
Without comment, as amended, SB17-062, 144, and 154.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

SJR17-024 by Senator(s) Jahn; also Representative(s) Singer--Concerning the designation of April 2017 as "Child Abuse Prevention Month".

Laid over until Monday, April 3, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB17-1220 by Representative(s) Becker K. and Wist, Carver, Esgar, Landgraf, Lawrence, Pabon, Thurlow, Van Winkle, Young; also Senator(s) Gardner and Fields, Priola--Concerning measures to stop diversion of legal marijuana to the illegal market.
Judiciary

HB17-1221 by Representative(s) Willett and Pabon, Carver; also Senator(s) Aguilar and Cooke--Concerning gray and black market marijuana enforcement efforts, and, in connection therewith, making an appropriation.
Judiciary

MESSAGE FROM THE GOVERNOR

March 20th, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-041: CONCERNING EMPLOYMENT CONTRACTS FOR POSITIONS AT INSTITUTIONS OF HIGHER EDUCATION THAT ARE FUNDED BY REVENUE GENERATED FROM AUXILIARY ACTIVITIES.

Approved March 20, 2017 at 4:05pm

SB17-060: CONCERNING RELOCATION OF THE COLORADO STUDENT LEADERS INSTITUTE FROM THE OFFICE OF THE LIEUTENANT GOVERNOR TO THE DEPARTMENT OF HIGHER EDUCATION, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

Approved March 20, 2017 at 4:17pm

SB17-011: CONCERNING THE CREATION OF A TECHNICAL DEMONSTRATION FORUM TO STUDY SOLUTIONS TO IMPROVE TRANSPORTATION ACCESS FOR PEOPLE WITH DISABILITIES.

Approved March 20, 2017 at 4:36pm

SB17-109: CONCERNING THE USE OF INDUSTRIAL HEMP IN PRODUCTS DESIGNED FOR CONSUMPTION.

Approved March 20, 2017 at 4:38pm

SB17-196: CONCERNING THE IMPROVEMENT OF THE DEPARTMENT OF LAW'S INFORMATION TECHNOLOGY SECURITY.

Approved March 20, 2017 at 4:40pm

SB17-197: CONCERNING THE PROVISION OF LEGAL SERVICES FOR THE DEPARTMENT OF EDUCATION IN THE 2016-17 STATE FISCAL YEAR.

Approved March 20, 2017 at 4:40pm

SB17-077: CONCERNING THE ELIGIBILITY OF CERTAIN GOVERNMENT AGENCIES TO APPLY FOR A SPECIAL EVENT PERMIT TO SELL ALCOHOL BEVERAGES

Approved March 20, 2017 at 4:41pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-024, 031, 033, 110, 123, 124, and 134; SJR17-019.

Senate in recess. Senate reconvened.

Committee of the Whole reconvened.

GENERAL ORDERS -- SECOND READING OF BILLS (cont'd)

SB17-200 by Senator(s) Priola, Hill, Martinez Humenik, Neville T.; --Concerning raising academic excellence in the public schools by distributing up to one percent of public school funding based on a competitive determination of academic excellence among peer school districts commencing in the 2018-19 budget year.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, March 16, page 449 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-203 by Senator(s) Todd, Coram, Aguilar, Crowder, Kefalas; also Representative(s) Covarrubias and Kennedy--Concerning the prohibition against a carrier requiring a covered person to undergo step therapy, and, in connection therewith, requiring coverage for a prescribed medication that is part of the carrier's medication formulary.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 16, page 454 and placed in members' bill files.)

Amendment No. 2(L.016), by Senator Tate.

Strike the Business, Labor, and Technology Report, dated, March 15, 2017 and substitute:

"Amend printed bill, page 2, line 5, strike "SECTION:" and substitute "SECTION, "STEP".

Page 2, line 6, strike "(a) "STEP".

Page 2, strike lines 12 through 15.

Page 3, strike lines 2 through 18 and substitute:

"(a) THE PATIENT HAS TRIED THE STEP THERAPY-REQUIRED PRESCRIPTION DRUGS WHILE UNDER HIS OR HER CURRENT OR PREVIOUS HEALTH INSURANCE OR HEALTH BENEFIT PLAN, AND SUCH PRESCRIPTION DRUGS WERE DISCONTINUED DUE TO LACK OF EFFICACY OR EFFECTIVENESS, DIMINISHED EFFECT, OR AN ADVERSE EVENT. PHARMACY DRUG SAMPLES SHALL NOT BE CONSIDERED TRIAL AND FAILURE OF A PREFERRED PRESCRIPTION DRUG IN LIEU OF TRYING THE STEP THERAPY-REQUIRED PRESCRIPTION DRUG.

(3) THE HEALTH CARRIER, HEALTH BENEFIT PLAN, OR UTILIZATION REVIEW ORGANIZATION MAY REQUEST RELEVANT DOCUMENTATION FROM THE PATIENT OR PROVIDER TO SUPPORT THE OVERRIDE REQUEST.".

Page 3, line 19, strike "PRECLUDE:" and substitute "PRECLUDE A".

Page 3, line 20, strike "(a) A".

Page 3, line 22, strike "PLAN; OR" and substitute "PLAN.".

Page 3, strike lines 23 through 26.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-040 by Senator(s) Kefalas, Gardner; also Representative(s) Pabon--Concerning public access to files maintained by governmental bodies.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 2, page(s) 327-329 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 15, page(s) 432-433 and placed in members' bill files.)

Amendment No. 3(L.023), by Senators Kefalas and Gardner.

Amend the State, Veterans, & Military Affairs Committee Report, dated March 1, 2017, page 3, strike line 15 and substitute "(5); and **add** (2)(a)(X), (3.5)(b.5), and (9) as follows:".

Page 3 of the report, strike lines 32 through 34 and substitute:

"(3.5) (b.5) (I) ANY PUBLIC EMPLOYEE, OR FORMER PUBLIC EMPLOYEE, OF ANY BRANCH OR LEVEL OF GOVERNMENT, MAY REQUEST THAT HIS OR HER HOME ADDRESS, PERSONAL TELEPHONE NUMBER, OR OTHER SIMILAR PERSONAL IDENTIFYING OR LOCATION INFORMATION BE WITHHELD FROM THE PRODUCTION OF ANY PUBLIC RECORDS PRODUCED IN A STRUCTURED DATA OR SEARCHABLE FORMAT PURSUANT TO SECTION 24-72-203.5 BY PRESENTING TO ANY CUSTODIAN OF SUCH PUBLIC RECORDS A WRITTEN DECLARATION SIGNED BY THE EMPLOYEE ATTESTING THAT DISCLOSURE OF THE PERSONAL IDENTIFYING OR LOCATION INFORMATION POSES A CREDIBLE RISK TO THE HEALTH, WELFARE, SAFETY, OR SECURITY OF THE EMPLOYEE OR TO ANY MEMBER OF THE EMPLOYEE'S FAMILY OR HOUSEHOLD.

(II) UPON RECEIPT OF A SIGNED DECLARATION DESCRIBED IN SUBSECTION (3.5)(b.5)(I) OF THIS SECTION OR A DECLARATION CONTAINING THE SAME INFORMATION DESCRIBED IN SUBSECTION (3.5)(b.5)(I) OF THIS SECTION THAT HAS BEEN EXECUTED BY A FEDERAL LAW ENFORCEMENT AGENCY, POST CERTIFIED LAW ENFORCEMENT OFFICIAL, OR A JUDICIAL OFFICER, THE CUSTODIAN OF ANY PUBLIC RECORDS PRODUCED IN A STRUCTURED DATA OR SEARCHABLE FORMAT CONTAINING THE PERSONAL IDENTIFYING OR LOCATION INFORMATION DESCRIBED IN SUBSECTION (3.5)(b.5)(I) OF THIS SECTION SHALL EITHER DENY THE INSPECTION OF SUCH PUBLIC RECORDS OR SHALL REDACT FROM ANY SUCH PUBLIC RECORDS PROVIDED TO ANY REQUESTER IN A STRUCTURED DATA OR SEARCHABLE FORMAT THE EMPLOYEE'S PERSONAL IDENTIFYING OR LOCATION INFORMATION.

(III) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NO CLAIM OF ANY KIND MAY BE ASSERTED AGAINST EITHER ANY RECORDS CUSTODIAN OR ANY AGENCY OF GOVERNMENT THAT IS PREMISED ON THE FAILURE OF THE CUSTODIAN OR THE AGENCY TO COMPLY WITH THE REQUIREMENTS OF SUBSECTION (3.5)(b.5)(II) OF THIS SECTION.".

Amendment No. 4(L.024), by Senator Sonnenberg.

Amend the State, Veterans, & Military Affairs Committee Report, dated March 1, 2017, page 1, strike line 23 and substitute:

"Page 3 of the printed bill, strike line 3 and substitute:

"(6)(a)(I) and (7); and **add** (1.4), (2.3), (6)(b)(XIV), (6.3), and (6.4) as follows:".

Page 3 of the bill, after line 5 insert:

"(1.4) "INFRASTRUCTURE SECURITY DATA" MEANS ANY RECORD THE DISCLOSURE OF WHICH COULD ENDANGER PUBLIC SAFETY OR THE OPERATION OF CRITICAL INFRASTRUCTURE. SUCH RECORDS INCLUDE DETAILED DRAWINGS, SCHEMATIC DIAGRAMS, SPECIFICATIONS, SECURITY CODES, VULNERABILITY ASSESSMENTS, PROTECTIVE MEASURES, EMERGENCY RESPONSE PLANS, SYSTEM OPERATIONAL DATA, AND THE EXACT PHYSICAL LOCATIONS OF HAZARDOUS MATERIALS. FOR PURPOSES OF THIS SUBSECTION (1.4), "CRITICAL INFRASTRUCTURE" INCLUDES

BRIDGES, TUNNELS, DAMS, WATER TREATMENT SUPPLY AND DELIVERY SYSTEMS, WASTEWATER COLLECTION AND TREATMENT SYSTEMS, RAILWAYS, AIRPORTS, COMMUNICATIONS OR BROADBAND NETWORKS, ELECTRIC GENERATION TRANSMISSION AND DISTRIBUTION SYSTEMS, NATURAL GAS TRANSMISSION AND DISTRIBUTION SYSTEMS, AND PUBLIC BUILDINGS.".".

Page 2 of the report, line 10, strike "GOVERNMENT."." and substitute "GOVERNMENT.

(6) (b) "Public records" does not include:

(XIV) INFRASTRUCTURE SECURITY DATA.".".

Page 3 of the report, strike line 15 and substitute "(5); and **add** (1)(e), (2)(a)(X), (2)(a)(XI), (4.5), and (9) as follows:".

Page 3 of the report, strike line 17 and substitute "**procedure - appeal - definitions.** (1) The custodian of any public records shall allow any person the right of inspection of such records or any portion thereof except on one or more of the following grounds or as provided in subsection (2) or (3) of this section:

(e) SUCH INSPECTION SEEKS ACCESS TO INFRASTRUCTURE SECURITY DATA.

(2) (a) The custodian may deny the".".

Page 3 of the report, after line 34 insert:

"(4.5) IF THE CUSTODIAN DENIES ACCESS TO ANY RECORD ON THE GROUNDS THAT THE RECORD CONTAINS INFRASTRUCTURE SECURITY DATA, THE CUSTODIAN SHALL FORTHWITH FURNISH THE APPLICANT WITH A WRITTEN STATEMENT SPECIFYING WHY THE REQUESTED RECORD IS INFRASTRUCTURE SECURITY DATA. AT THE SAME TIME, THE CUSTODIAN SHALL ALSO PROVIDE COPIES OF THE WRITTEN STATEMENT TO THE ATTORNEY GENERAL OF THE STATE AND ALSO TO THE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT WITHIN THE DEPARTMENT OF PUBLIC SAFETY CREATED IN SECTION 24-33.5-1603 (1). THE APPLICANT MAY APPLY TO THE STATE DISTRICT COURT FOR THE JUDICIAL DISTRICT IN WHICH THE RECORD IS LOCATED FOR A DETERMINATION THAT THE REQUESTED RECORD IS IN FACT A PUBLIC RECORD IN ACCORDANCE WITH THIS PART 2 AND DOES NOT SATISFY THE DEFINITION OF INFRASTRUCTURE SECURITY DATA SPECIFIED IN SECTION 24-72-202 (1.4). IN AN ACTION BROUGHT UNDER THIS SUBSECTION (4.5), THE APPLICANT BEARS THE BURDEN OF PROOF.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-213 by Senator(s) Hill and Moreno; also Representative(s) Winter and Bridges, Lundeen--Concerning authorization for automated driving systems to control motor vehicles throughout Colorado.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, March 17, page 461 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Donovan.

Amend printed bill, page 2, after line 23 insert:

"(h) Automated driving systems will affect those employed in the transit industry and the executive branch and the general assembly are encouraged to study those affects; and".

Renumber succeeding paragraph accordingly.

Amendment No. 3(L.008), by Senator Hill.

Amend printed bill, page 3, strike lines 1 through 8 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, 42-1-102, **amend** the introductory portion; and **add** (7.7), (27.8), and (43.3) as follows:

42-1-102. Definitions. As used in articles 1 to 4 of this ~~title~~ TITLE 42, unless the context otherwise requires:

(7.7) "AUTOMATED DRIVING SYSTEM" MEANS HARDWARE AND SOFTWARE THAT ARE COLLECTIVELY CAPABLE, WITHOUT ANY INTERVENTION OR SUPERVISION BY A HUMAN OPERATOR, OF PERFORMING ALL ASPECTS OF THE DYNAMIC DRIVING TASK FOR A VEHICLE ON A PART-TIME OR FULL-TIME BASIS.

(27.8) (a) "DYNAMIC DRIVING TASK" MEANS ALL OF THE FOLLOWING ASPECTS OF DRIVING:

(I) OPERATIONAL ASPECTS, INCLUDING STEERING, BRAKING, ACCELERATING, AND MONITORING THE VEHICLE AND THE ROADWAY; AND

(II) TACTICAL ASPECTS, INCLUDING RESPONDING TO EVENTS, DETERMINING WHEN TO CHANGE LANES, TURNING, USING SIGNALS, AND OTHER RELATED ACTIONS.

(b) "DYNAMIC DRIVING TASK" DOES NOT INCLUDE STRATEGIC ASPECTS, INCLUDING DETERMINING DESTINATIONS OR WAY POINTS, OF DRIVING.

(43.3) "HUMAN OPERATOR" MEANS A NATURAL PERSON IN THE VEHICLE WITH IMMEDIATE ACCESS TO CONTROLS FOR STEERING, BRAKING, AND ACCELERATION.".

Amendment No. 4(L.009), by Senator Zenzinger.

Amend printed bill, page 4, strike lines 9 through 13 and substitute:

"(3) IF AN AUTOMATED DRIVING SYSTEM IS NOT CAPABLE OF COMPLYING WITH EVERY STATE AND FEDERAL LAW THAT APPLIES TO THE FUNCTION THE SYSTEM IS OPERATING, A PERSON SHALL NOT TEST THE SYSTEM UNLESS APPROVED BY THE COLORADO STATE PATROL AND THE COLORADO DEPARTMENT OF TRANSPORTATION.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-071 by Senator(s) Tate; --Concerning reductions in early voting period requirements for voter service and polling centers used in general elections.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, March 9, page(s) 386-390 and placed in members' bill files.)

Amendment No. 2(L.047), by Senator Tate.

Amend the State, Veterans, & Military Affairs Committee Report, dated March 8, 2017, page 5, line 23, strike "THE WAIT" and substitute "ON THE DAY OF EACH GENERAL ELECTION, A COUNTY CLERK AND RECORDER OR THE SECRETARY OF STATE SHALL MEASURE AT LEAST HOURLY THE WAIT TIMES AT EVERY VOTER SERVICE AND POLLING CENTER IN EACH COUNTY. THE SECRETARY OF STATE SHALL POST THE RESULTS OF THOSE MEASUREMENTS AT LEAST HOURLY ON ELECTION DAY. THE SECRETARY OF STATE SHALL PROMULGATE RULES, IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, TO IMPLEMENT THIS SECTION.".

Page 5 of the report, strike lines 24 through 27.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-116 by Senator(s) Neville T., Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Smallwood, Sonnenberg; also Representative(s) Van Winkle, Buck, Covarrubias, Everett, Humphrey, Leonard, Lundeen, Navarro, Neville P., Nordberg, Ransom, Saine, Sias, Williams D.--Concerning allowing a law-abiding person to carry a concealed handgun without a permit, and, in connection therewith, preserving current laws restricting the carrying of concealed handguns on certain property including public schools.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, March 15, page 431 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-111 by Senator(s) Neville T.; also Representative(s) Michaelson Jenet and Gray--Concerning measures to address medical marijuana inventory shortfalls.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 16, page 228 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, February 24, page 281 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, March 15, page 433 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 Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-074 as amended, SB17-193 as amended, SB17-230 as amended, SB17-117 as amended, SB17-200 as amended, SB17-203 as amended, SB17-040 as amended, SB17-213 as amended, SB17-071 as amended, SB17-116 as amended, SB17-111 as amended, HB17-1103, HB17-1151 as amended.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB17-1125, HB17-1083, HB17-1183, HB17-1173, HB17-1021, HB17-1145, HB17-1104, and HB17-1144 were made Special Orders -- Consent Calender at 9:18 p.m.

Committee of the Whole

The hour of 9:18 p.m. having arrived, Senator Cooke 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 Cooke 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:

HB17-1125 by Representative(s) Nordberg and Winter, Kraft-Tharp; also Senator(s) Jahn and Smallwood, Donovan, Neville T.--Concerning eliminating the duty of the division of correctional industries to provide certain services for the state's correctional facilities.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1083 by Representative(s) Liston; also Senator(s) Gardner--Concerning an exemption for certain traffic violations of the requirement that a municipal judge inform a defendant of certain rights.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1183 by Representative(s) Foote; also Senator(s) Gardner--Concerning the repeal of the condition required to be satisfied for a provision of law governing the disclosure of communications with mental health professionals to take effect.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1173 by Representative(s) Hansen; also Senator(s) Neville T.--Concerning required provisions in a contract between a health insurance carrier and a health care provider concerning medical communications regarding disagreements in health care decisions.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1021 by Representative(s) Danielson; also Senator(s) Cooke--Concerning the release of information by the division of labor standards and statistics in the department of labor and employment concerning an employer's violation of wage laws.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1145 by Representative(s) Herod, Liston, Nordberg, Pabon, Willett; also Senator(s) Gardner--Concerning authorization for amateur winemakers to enter wines in organized events.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1104 by Representative(s) Navarro, Lundeen, Carver, Liston, Nordberg, Williams D.; also Senator(s) Priola, Gardner, Hill--Concerning the exclusion from state taxable income of the monetary value of any medal won by an athlete while competing for the United States of America at the olympic games, so long as the athlete's federal adjusted gross income does not exceed a specified amount.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, March 21, page 486 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1144 by Representative(s) Esgar, Becker J., Hansen; also Senator(s) Baumgardner, Kefalas, Sonnenberg--Concerning amendments to the automatic cash fund funding mechanism for payment of future costs attributable to certain of the state's capital assets.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1125, HB17-1083, HB17-1183, HB17-1173, HB17-1021, HB17-1145, HB17-1104 as amended, HB17-1144.

(For further action, see Reconsideration and Amendments to the Report of the Committee of the Whole, as printed in Senate Journal, Thursday, March 23, pages 517-518.)

COMMITTEE OF REFERENCE REPORTS (cont'd)

Trans-portation

After consideration on the merits, the Committee recommends that **SB17-210** be postponed indefinitely.

Upon request of Majority Leader Holbert, **HB17-1104** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Wednesday, March 22, 2017, and was placed at the end of the Third Reading of Bills Final Passage Calendar of Wednesday, March 22, 2017.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, March 22, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

71st Legislative Day Wednesday, March 22, 2017

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community: A Mennonite Congregation, Littleton.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--33
Absent--1, Scott.
Excused--1, Todd.
Present later--2, Scott, Todd.

Quorum — The President announced a quorum present.

Pledge — By Senator Smallwood.

Musical Presentation — By the Bad News Bulldogs Choir from the School for the Deaf and Blind, performing "The Star-Spangled Banner", "Hallelujah", and "Sweet Home *Colorado*".

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Tuesday, March 21, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SJR17-023 and 024.
Correctly Engrossed: SB17-040, 071, 074, 111, 116, 117, 193, 200, 203, 213, and 230; SJR17-021.
Correctly Revised: HB17-1021, 1083, 1103, 1104, 1125, 1144, 1145, 1151, 1173, and 1183.
Correctly Rerevised: HB17-1035, 1051, 1101, 1111, and 1152.
Correctly Enrolled: SB17-016, 048, 076, and 125; SJR17-019.

The Senate proceeded out of order for a moment of personal privilege.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-013 by Senator(s) Coram; also Representative(s) Catlin--Concerning the encouragement of stakeholder input with subsequent legislative review prior to the implementation of additional nutrient discharge controls.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. (Printed in Senate Journal, March 17, page(s) 465-466 and placed in members' bill files.)

On motion of Senator Coram, and with a majority of those elected to the Senate having voted in the affirmative, the amendment was adopted.

On motion of Senator Coram, the resolution, as amended, was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

SJR17-023 by Senator(s) Sonnenberg; also Representative(s) Catlin--Concerning the designation of March 22, 2017, as "Colorado Agriculture Day".

On motion of Senator Sonnenberg, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Tate, Todd, Williams A., and Zenzinger.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills -- Final Passage -- Consent Calendar (HB17-1125, HB17-1083, HB17-1183, HB17-1021, HB17-1145, HB17-1144) of Wednesday, March 22 was laid over until Thursday, March 23, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, HB17-1104 and HB17-1173 from the Third Reading of Bills -- Final Passage Calendar of Wednesday, March 22, were laid over until Thursday, March 23, retaining their place on the calendar.

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:

SB17-074 by Senator(s) Garcia, Jahn, Todd; also Representative(s) Esgar--Concerning the creation of a pilot program in certain areas of the state experiencing high levels of opioid addiction to award grants to increase access to addiction treatment, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Guzman, Hill, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Smallwood, Tate, Williams A., and Zenzinger.

HB17-1103 by Representative(s) Nordberg and Pabon, Williams D.; also Senator(s) Gardner and Moreno--Concerning a state sales and use tax exemption for historic aircraft on loan for public display.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Grantham, Holbert, Kagan, Lambert, Lundberg, Merrifield, Neville T., Priola, and Todd.

SB17-193 by Senator(s) Jahn and Lundberg, Moreno; also Representative(s) Pettersen and Rankin--Concerning the establishment of the "center for research into substance use disorder prevention, treatment, and recovery support strategies" at the university of Colorado health sciences center, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jones, Kagan, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

SB17-230 by Senator(s) Holbert and Guzman, Grantham; also Representative(s) Becker K. and Neville P., Duran--Concerning payment of expenses of the legislative department.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Scott.

HB17-1151 by Representative(s) Hansen and Willett; also Senator(s) Kerr and Hill, Gardner--Concerning the regulation of electrical assisted bicycles.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kagan.

SB17-117 by Senator(s) Coram, Cooke; also Representative(s) Catlin and Valdez--Concerning confirmation that industrial hemp is a recognized agricultural product for which a person with a water right decreed for agricultural use may use the water subject to the water right for industrial hemp cultivation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Crowder, Fenberg, Holbert, Jahn, Kerr, Lambert, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, and Williams A.

SB17-200 by Senator(s) Priola, Hill, Martinez Humenik, Neville T.; --Concerning raising academic excellence in the public schools by distributing up to one percent of public school funding based on a competitive determination of academic excellence among peer school districts commencing in the 2018-19 budget year.

Laid over until Thursday, March 23, retaining its place on the calendar.

SB17-203 by Senator(s) Todd, Coram, Aguilar, Crowder, Kefalas; also Representative(s) Covarrubias and Kennedy--Concerning the prohibition against a carrier requiring a covered person to undergo step therapy, and, in connection therewith, requiring coverage for a prescribed medication that is part of the carrier's medication formulary.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fenberg, Fields, Jahn, Jones, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, and Tate.

SB17-213 by Senator(s) Hill and Moreno; also Representative(s) Winter and Bridges, Lundeen--Concerning authorization for automated driving systems to control motor vehicles throughout Colorado.

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	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Holbert, Lambert, Lundberg, Marble, Smallwood, Tate, Todd, Williams A., and Zenzinger.

SB17-040 by Senator(s) Kefalas, Gardner; also Representative(s) Pabon--Concerning public access to files maintained by governmental bodies, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar.

SB17-071 by Senator(s) Tate; --Concerning reductions in early voting period requirements for voter service and polling centers used in general elections, and, in connection therewith, adjusting requirements and reallocating resources as a result of savings from those reductions.

Laid over until Friday, March 31, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Third Reading -- Final Passage Calendar (SB17-116, SB17-111) of Wednesday, March 22, was laid over until Thursday, March 23, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-144 by Senator(s) Hill and Zenzinger, Gardner, Merrifield, Neville T., Priola, Todd; also Representative(s) Pettersen--Concerning the recommended continuation of the education data advisory committee by the director of the division of professions and occupations in the department of regulatory agencies.

Senator Zenzinger moved that the Senate concur in House amendments to **SB17-144**, as printed in House journal, March 20, page 552. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-154 by Senator(s) Gardner; also Representative(s) Wist--Concerning the "Uniform Unsworn Declarations Act".

Senator Gardner moved that the Senate concur in House amendments to **SB17-154**, as printed in House journal, March 20, page 553. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Tate.

SB17-062 by Senator(s) Neville T., Baumgardner, Cooke, Crowder, Grantham, Holbert, Jahn, Lundberg, Marble, Priola, Scott, Sonnenberg, Tate; also Representative(s) Humphrey and Bridges, Catlin, Everett, Leonard, Lundeen, Neville P., Saine, Van Winkle, Williams D., Wilson--Concerning the right to free speech on campuses of public institutions of higher education.

Senator Neville moved that the Senate concur in House amendments to **SB17-062**, as printed in House journal, March 20, page(s) 538-539. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

COMMITTEE OF REFERENCE REPORTS

Local Government

After consideration on the merits, the Committee recommends that **HB17-1193** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 10, strike line 27 and substitute:

"(3) (a) EXCEPT AS PROVIDED IN SUBSECTIONS (3)(b) AND (3)(c) OF THIS SECTION, A LOCAL GOVERNMENT ENTITY SHALL NOT IMPOSE ANY FEE OR REQUIRE ANY APPLICATION OR PERMIT FOR THE INSTALLATION, PLACEMENT, OPERATION, MAINTENANCE, OR REPLACEMENT OF MICRO WIRELESS FACILITIES THAT ARE SUSPENDED ON CABLE OPERATOR-OWNED CABLES OR LINES THAT ARE STRUNG BETWEEN EXISTING UTILITY POLES IN COMPLIANCE WITH NATIONAL SAFETY CODES.

(b) A LOCAL GOVERNMENT ENTITY WITH A MUNICIPAL OR COUNTY CODE THAT REQUIRES AN APPLICATION OR PERMIT FOR THE INSTALLATION OF MICRO WIRELESS FACILITIES MAY, BUT IS NOT REQUIRED TO, CONTINUE THE APPLICATION OR PERMIT REQUIREMENT SUBSEQUENT TO THE EFFECTIVE DATE OF THIS SECTION.

(c) A LOCAL GOVERNMENT ENTITY MAY REQUIRE A SINGLE-USE RIGHT-OF-WAY PERMIT IF THE INSTALLATION, PLACEMENT, OPERATION, MAINTENANCE, OR REPLACEMENT OF MICRO WIRELESS FACILITIES:

(I) INVOLVES WORKING WITHIN A HIGHWAY TRAVEL LANE OR REQUIRES THE CLOSURE OF A HIGHWAY TRAVEL LANE;

(II) DISTURBS THE PAVEMENT OR A SHOULDER, ROADWAY, OR DITCH LINE;

(III) INCLUDES PLACEMENT ON LIMITED ACCESS RIGHTS-OF-WAY; OR

(IV) REQUIRES ANY SPECIFIC PRECAUTIONS TO ENSURE THE SAFETY OF THE TRAVELING PUBLIC; THE PROTECTION OF PUBLIC INFRASTRUCTURE; OR THE OPERATION OF PUBLIC INFRASTRUCTURE; AND SUCH ACTIVITIES EITHER WERE NOT AUTHORIZED IN, OR WILL BE CONDUCTED IN A TIME, PLACE, OR MANNER THAT IS INCONSISTENT WITH, THE APPROVAL TERMS OF THE EXISTING PERMIT FOR THE FACILITY OR STRUCTURE UPON WHICH THE MICRO WIRELESS FACILITY IS ATTACHED.".

Page 11, strike lines 1 through 7.

TRIBUTES

Honoring:

Ben Lenger -- By Senator Matt Jones.
Tom Tobiassen, Aurora Chamber Man of the Year -- By Senator Rhonda Fields, Senator Nancy Todd, and Senator Daniel Kagan.
Dr. Nita Mosby Tyler -- By Senator Rhonda Fields, Senator Nancy Todd, and Senator Daniel Kagan.
Hunter Willits -- By Senator Leroy Garcia.
The Family of Officer James Glasmann -- By Senator Rachel Zenzinger.
The Honorable Suzanne Jones -- By Senator Steve Fenberg.
The Honorable Elise Jones -- By Senator Steve Fenberg.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, March 23, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

72nd Legislative Day Thursday, March 23, 2017

Prayer — By the chaplain, Pastor Dale Pierce, United Church of Crook, Crook.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Hill.
Present later--1, Hill.

Quorum — The President announced a quorum present.

Pledge — By Senator Smallwood.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Wednesday, March 22, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Health & Human Services — After consideration on the merits, the Committee recommends that **HB17-1126** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services — After consideration on the merits, the Committee recommends that **SB17-234** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services — After consideration on the merits, the Committee recommends that **SB17-246** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services — After consideration on the merits, the Committee recommends that **SB17-242** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-207** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 13, strike lines 5 and 6 and substitute:

"**SECTION 7.** In Colorado Revised Statutes, 27-65-105, **amend** (1), (2), and (3); and **add** (6) and (7) as follows:".

Page 13, line 18, after the period add "IF SUCH A FACILITY IS NOT AVAILABLE, THE PERSON MAY BE TAKEN TO AN EMERGENCY MEDICAL SERVICES FACILITY.".

page 14, strike line 1 and substitute "DIRECTOR. IF".

Page 15, strike lines 19 and 20 and substitute "EXECUTIVE DIRECTOR.".

Page 16, strike line 25 and substitute "EXECUTIVE DIRECTOR,".

Page 16, line 26, strike "EVALUATION,".

Page 17, strike lines 13 through 27.

Strike page 18.

Page 19, strike lines 1 and 2 and substitute:

"(6) AT ANY TIME".

Page 19, line 5, after "FACILITY," insert "IF, IN THE OPINION OF A PROFESSIONAL PERSON, OR AN ADVANCED PRACTICE NURSE LICENSED PURSUANT TO ARTICLE 38 OF TITLE 12 AND INCLUDED IN THE ADVANCED PRACTICE REGISTRY PURSUANT TO SECTION 12-38-111.5 WITH A POPULATION FOCUS IN PSYCHIATRY OR MENTAL HEALTH, ACTING WITHIN HIS OR HER SCOPE OF PRACTICE,".

Page 19, after line 10 insert:

"(7) (a) ON OR BEFORE JULY 1, 2017, AND EACH JULY 1 THEREAFTER, EACH EMERGENCY MEDICAL SERVICES FACILITY THAT HAS TREATED A PERSON PURSUANT TO THIS SECTION SHALL PROVIDE AN ANNUAL REPORT TO THE DEPARTMENT THAT INCLUDES ONLY AGGREGATE AND NONIDENTIFYING INFORMATION CONCERNING PERSONS WHO WERE TREATED AT AN EMERGENCY MEDICAL SERVICES FACILITY PURSUANT TO THIS SECTION. THE REPORT MUST COMPLY WITH THE PROVISIONS OF SECTION 24-1-136 (9) AND IS EXEMPT FROM THE PROVISIONS OF SECTION 24-1-136 (11)(a)(I). THE REPORT MUST CONTAIN THE FOLLOWING:

(I) THE NAMES AND COUNTIES OF THE FACILITIES;

(II) THE TOTAL NUMBER OF PERSONS TREATED PURSUANT TO THIS SECTION, INCLUDING A SUMMARY OF DEMOGRAPHIC INFORMATION;

(III) A SUMMARY REGARDING THE DIFFERENT REASONS FOR WHICH PERSONS WERE TREATED PURSUANT TO THIS SECTION; AND

(IV) A SUMMARY OF THE DISPOSITION OF PERSONS TRANSFERRED TO A DESIGNATED FACILITY.

(b) (I) ANY INFORMATION AGGREGATED AND PROVIDED TO THE DEPARTMENT PURSUANT TO THIS SUBSECTION (7) IS PRIVILEGED AND CONFIDENTIAL. SUCH INFORMATION MUST NOT BE MADE AVAILABLE TO THE PUBLIC EXCEPT IN AN AGGREGATE FORMAT THAT CANNOT BE USED TO IDENTIFY AN INDIVIDUAL FACILITY. THE INFORMATION IS NOT SUBJECT TO CIVIL SUBPOENA AND IS NOT DISCOVERABLE OR ADMISSIBLE IN ANY CIVIL, CRIMINAL, OR ADMINISTRATIVE PROCEEDING AGAINST AN EMERGENCY MEDICAL SERVICES FACILITY OR HEALTH CARE PROFESSIONAL. THE INFORMATION MUST BE USED ONLY TO ASSESS STATEWIDE BEHAVIORAL HEALTH SERVICES NEEDS AND TO PLAN FOR SUFFICIENT LEVELS OF STATEWIDE BEHAVIORAL HEALTH SERVICES. IN THE COLLECTION OF DATA TO ACCOMPLISH THE REQUIREMENTS OF THIS SUBSECTION (7), THE DEPARTMENT SHALL PROTECT THE CONFIDENTIALITY OF PATIENT RECORDS, IN ACCORDANCE WITH STATE AND FEDERAL LAWS, AND SHALL NOT DISCLOSE ANY PUBLIC IDENTIFYING OR PROPRIETARY INFORMATION OF ANY HOSPITAL, HOSPITAL ADMINISTRATOR, HEALTH CARE PROFESSIONAL, OR EMPLOYEE OF A HEALTH CARE FACILITY.

(II) SUBSECTION (7)(b)(I) OF THIS SECTION DOES NOT APPLY TO INFORMATION THAT IS OTHERWISE AVAILABLE FROM A SOURCE OUTSIDE OF THE DATA COLLECTION ACTIVITIES REQUIRED PURSUANT TO SUBSECTION (7)(a) OF THIS SECTION.".

Page 19, line 19, strike "BEHAVIORAL" and substitute "MENTAL".

Judiciary After consideration on the merits, the Committee recommends that **HB17-1110** be referred to the Committee of the Whole with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **HB17-1220** 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 11, strike "IT" and substitute "EXCEPT AS PROVIDED IN SECTION 25-1.5-106 (8.5)(a.5)(I) OR SECTION 25-1.5-106 (8.6)(a)(I)(B) FOR A MEDICAL MARIJUANA PATIENT OR A PRIMARY CAREGIVER WITH A TWENTY-FOUR-MARIJUANA-PLANT-COUNT EXCEPTION TO SUBSECTION (3)(a)(II)(A) OF THIS SECTION, IT".

Page 4, line 14, after "PLANTS" insert "ON OR".

Page 4, lines 15 and 16, strike "MORE THAN SIXTEEN MARIJUANA" and substitute "THE".

Page 5, line 5, strike "LEVEL 4 DRUG FELONY" and substitute "LEVEL 1 DRUG MISDEMEANOR".

Page 5, line 7, strike "THIRTY" and substitute "TWENTY-FOUR".

Page 5, line 9, strike "THIRTY" and substitute "TWENTY-FOUR".

Page 5, line 14, after ""FLOWERING"" insert "MEANS".

Page 5, line 16, strike "NODES." and substitute "NODES IN THE STEM.".

Page 5, strike lines 17 through 20 and substitute:

"(II) "PLANT" MEANS ANY CANNABIS PLANT IN A CULTIVATING MEDIUM WHICH PLANT IS MORE THAN FOUR INCHES WIDE OR FOUR INCHES HIGH OR A FLOWERING CANNABIS PLANT REGARDLESS OF THE PLANT'S SIZE.".

Page 5, strike line 24 and substitute "COOKING, AND SANITATION.".

Page 7, line 5, strike "(a.5)" and substitute "(a.5)(I)".

Page 7, strike lines 9 through 19 and substitute "OR PERMANENTLY, AT THE PROPERTY; EXCEPT THAT IT IS UNLAWFUL FOR A PATIENT TO POSSESS AT OR CULTIVATE ON OR IN A RESIDENTIAL PROPERTY MORE THAN TWENTY-FOUR MARIJUANA PLANTS REGARDLESS OF THE NUMBER OF PERSONS RESIDING, EITHER TEMPORARILY OR PERMANENTLY, AT THE PROPERTY IF A PATIENT:

(A) LIVES IN A COUNTY, MUNICIPALITY, OR CITY AND COUNTY THAT DOES NOT LIMIT THE NUMBER OF MARIJUANA PLANTS THAT MAY BE GROWN ON OR IN A RESIDENTIAL PROPERTY;

(B) REGISTERS PURSUANT TO THIS SUBSECTION (8.5) WITH THE STATE LICENSING AUTHORITY'S REGISTRY; AND

(C) PROVIDES NOTICE TO THE APPLICABLE COUNTY, MUNICIPALITY, OR CITY AND COUNTY OF HIS OR HER RESIDENTIAL CULTIVATION OPERATION IF REQUIRED BY THE JURISDICTION. A LOCAL JURISDICTION SHALL NOT PROVIDE THE INFORMATION PROVIDED TO IT PURSUANT TO THIS SUBSECTION (8.5)(a.5)(I)(C) TO THE PUBLIC, AND THE INFORMATION IS CONFIDENTIAL.

(II) A PATIENT WHO CULTIVATES MORE MARIJUANA PLANTS THAN PERMITTED IN SUBSECTION (8.5)(a.5)(I) OF THIS SECTION SHALL LOCATE HIS OR HER CULTIVATION OPERATION ON A PROPERTY, OTHER THAN A RESIDENTIAL PROPERTY, WHERE MARIJUANA CULTIVATION IS ALLOWED BY LOCAL LAW AND SHALL COMPLY WITH ANY APPLICABLE LOCAL LAW REQUIRING DISCLOSURE ABOUT THE CULTIVATION OPERATION. CULTIVATION OPERATIONS CONDUCTED IN A LOCATION OTHER THAN A RESIDENTIAL PROPERTY ARE SUBJECT TO ANY COUNTY AND MUNICIPAL BUILDING AND PUBLIC HEALTH INSPECTION REQUIRED BY LOCAL LAW. A PERSON WHO VIOLATES THIS SUBSECTION (8.5)(a.5) IS SUBJECT TO THE OFFENSES AND PENALTIES DESCRIBED IN SECTION 18-18-406.".

Page 8, strike lines 5 through 15 and substitute "OR PERMANENTLY, AT

THE PROPERTY; EXCEPT THAT IT IS UNLAWFUL FOR A PRIMARY CAREGIVER TO POSSESS AT OR CULTIVATE ON OR IN A RESIDENTIAL PROPERTY MORE THAN TWENTY-FOUR MARIJUANA PLANTS REGARDLESS OF THE NUMBER OF PERSONS RESIDING, EITHER TEMPORARILY OR PERMANENTLY, AT THE PROPERTY IF A PRIMARY CAREGIVER:

(I) LIVES IN A COUNTY, MUNICIPALITY, OR CITY AND COUNTY THAT DOES NOT LIMIT THE NUMBER OF MARIJUANA PLANTS THAT MAY BE GROWN ON OR IN A RESIDENTIAL PROPERTY;

(II) IS REGISTERED PURSUANT TO THIS SUBSECTION (8.6) WITH THE STATE LICENSING AUTHORITY'S REGISTRY; AND

(III) PROVIDES NOTICE TO THE APPLICABLE COUNTY, MUNICIPALITY, OR CITY AND COUNTY OF HIS OR HER RESIDENTIAL CULTIVATION OPERATION IF REQUIRED BY THE JURISDICTION. A LOCAL JURISIDICTGION SHALL NOT PROVIDE THE INFORMATION PROVIDED TO IT PURSUANT TO THIS SUBSECTION (8.6)(a)(I)(B) TO THE PUBLIC, AND THE INFORMATION IS CONFIDENTIAL.

(C) ANY PRIMARY CAREGIVER WHO CULTIVATES MORE MARIJUANA PLANTS THAN PERMITTED IN SUBSECTION (8.6)(a)(I)(B) OF THIS SECTION SHALL LOCATE HIS OR HER CULTIVATION OPERATION ON A PROPERTY, OTHER THAN A RESIDENTIAL PROPERTY, WHERE MARIJUANA CULTIVATION IS ALLOWED BY LOCAL LAW AND SHALL COMPLY WITH ANY APPLICABLE LOCAL LAW REQUIRING DISCLOSURE ABOUT THE CULTIVATION OPERATION. CULTIVATION OPERATIONS CONDUCTED IN A LOCATION OTHER THAN A RESIDENTIAL PROPERTY ARE SUBJECT TO ANY COUNTY AND MUNICIPAL BUILDING AND PUBLIC HEALTH INSPECTION REQUIRED BY LOCAL LAW. A PERSON WHO VIOLATES THIS SUBSECTION (8.6)(a)(I) IS SUBJECT TO THE OFFENSES AND PENALTIES DESCRIBED IN SECTION 18-18-406.".

Strike "SIXTEEN" and substitute "TWELVE" on: **Page 4**, lines 7, 9, and 14; **Page 7**, line 7; and **Page 8**, line 3.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1221** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1158** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1156** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-219** 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 **SB17-217** 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 **SB17-221** 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 **SB17-220** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, strike lines 2 through 8 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **add with amended and relocated provisions** 13-3-116 as follows:

13-3-116. [Formerly 19-2-213] Restorative justice coordinating council - establishment - membership. (1) (a) A council to provide assistance and education related to restorative justice programs is hereby established. The council shall be known as the "restorative justice coordinating council" and shall be established in the state judicial department within the office of the state court administrator. To the extent that resources permit, the restorative justice coordinating council shall support the development of restorative justice programs, serve as a central repository for information, assist in the development and provision of related education and training, and provide technical assistance to entities engaged in or wishing to develop restorative justice programs.

(b) In order to assess the efficacy of restorative justice practices in providing satisfaction to participants, the council shall develop a uniform restorative justice satisfaction evaluation by September 1, 2013. The evaluation must be based on research principles. The evaluation must include a preconference questionnaire for the offender and participating victims, if practicable, to establish a baseline and a postconference questionnaire that is suitable to administer to restorative justice participants, including community members, participating victims, and offenders.

(c) (I) The council shall develop a database of existing restorative justice programs in the state by December 31, 2013, and update it annually by December 31 of each year.

(II) The database must consist of the following information:

(A) The location of the restorative justice program;

(B) The types of restorative justice practices used in the program and the costs and fees associated with the practices; and

(C) The background, training, and restorative justice experience of the facilitators in the restorative justice program.

(d) Repealed.

(2) The restorative justice coordinating council includes, at a minimum, the following:

(a) A member who represents a statewide juvenile justice council who shall be appointed by the executive director of the department of public safety;

(b) A representative from the division of youth corrections in the department of human services who shall be appointed by the executive director of the department of human services;

(c) A representative from the department of public safety who shall be appointed by the executive director of the department of public safety;

(d) A representative from the judicial department who shall be appointed by the state court administrator;

(e) Two representatives from a statewide organization or organizations whose primary purpose is related to the development and implementation of restorative justice programs and who shall be appointed by the executive director of the department of public safety;

(f) A district attorney with juvenile justice experience who shall be appointed by the executive director of the Colorado district attorneys council;

(g) A victim's representative within the judicial department with restorative justice experience who shall be appointed by the state court administrator;

(h) A representative from the department of education who shall be appointed by the commissioner of education;

(i) A representative from the state board of parole appointed by the chair of the parole board;

(j) A representative from the department of corrections appointed by the executive director of the department of corrections;

(k) A representative from a nongovernment statewide organization representing victims appointed by the executive director of the department of public safety;

(l) Three restorative justice practitioners appointed by the state court administrator;

(m) A representative of the juvenile parole board appointed by the chair of the juvenile parole board;

(n) The state public defender or his or her designee;

(o) A judge appointed by the chief justice of the Colorado supreme court; and

(p) A representative of law enforcement appointed by the state court administrator based upon a recommendation from the restorative justice coordinating council.

(3) The restorative justice coordinating council shall select a chairperson from among the members of the council who shall serve a term to be determined by the council. The chairperson shall be responsible for convening the council at a frequency that shall be determined by the council.

(4) Members of the restorative justice coordinating council shall serve without compensation and shall not be reimbursed for expenses incurred while serving on the council.

(4.5) The restorative justice coordinating council may accept ~~moneys~~ MONEY from trainings and conferences and gifts, grants, or donations from any private or public source for the purpose of supporting restorative justice practices. All private and public ~~moneys~~ MONEY received by the restorative justice coordinating council from gifts, grants, or donations or any other source must be transmitted to the state treasurer, who shall credit the same to the restorative justice surcharge fund created pursuant to section 18-25-101, ~~C.R.S.,~~ in addition to any ~~moneys~~ MONEY that may be appropriated to the fund directly by the general assembly.

(5) ~~(a) This section is repealed, effective July 1, 2017.~~

~~(b) Prior to the repeal, the restorative justice coordinating council shall be reviewed as provided in section 2-3-1203, C.R.S.~~

SECTION 2. In Colorado Revised Statutes, 18-25-101, **amend** (3)(a) as follows:

18-25-101. Restorative justice surcharge - definitions. (3) (a) There is created in the state treasury the restorative justice surcharge fund that consists of ~~moneys~~ MONEY received by the state treasurer pursuant to this section and section ~~19-2-213 (4.5), C.R.S.~~ 13-3-116 (4.5). The ~~moneys~~ MONEY in the fund ~~are~~ IS subject to annual appropriation by the general assembly to the judicial department for distribution to judicial districts that offer restorative justice programs and to the restorative justice coordinating council for administrative expenses.

SECTION 3. Repeal of relocated provisions in this act. In Colorado Revised Statutes, **repeal** 19-2-213.".

Renumber succeeding sections accordingly.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB17-1196** 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 **SB17-204** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB17-1179** 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 **SB17-218** 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 6, strike "~~board~~" and substitute "board".

Page 2, line 7, strike "DIRECTOR".

Page 3, strike lines 5 through 27.

Strike pages 4 through 17.

Page 18, strike lines 1 through 9.

Renumber succeeding section accordingly.

Page 1, line 103, strike "**AGENCIES,**" and substitute "**AGENCIES.**".

Page 1, strike lines 104 through 106.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-215** 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 3, strike lines 24 through 27.

Strike page 4.

Page 5, strike lines 1 through 23.

Renumber succeeding sections accordingly.

Page 6, lines 21 and 22, strike "IN, AND CURRENTLY DERIVES SIGNIFICANT INCOME FROM," and substitute "IN".

Page 7, line 3, after "(4)(a)" insert "introductory portion".

Page 8, strike lines 15 through 24.

Page 11, strike line 25 and substitute "**amend** (1) introductory portion as follows:".

Page 12, strike lines 2 through 22 and substitute "EXCEPT IN ACCORDANCE WITH THE FEDERAL "REAL ESTATE SETTLEMENT PROCEDURES ACT OF 1974", AS AMENDED, 12 U.S.C. SEC. 2601 ET SEQ., AND unless reasonable cause for payment of the referral fee exists. A reasonable cause for payment means:".

Page 17, line 4, strike "July 1," and substitute "June 30,".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-198** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 10-3-803.5, **amend** (3)(a), (3)(c), and (5)(a)(II); and **add** (3)(d) as follows:

10-3-803.5. Acquisitions involving insurers not otherwise covered - definitions. (3) (a) An acquisition covered by subsection (2) of this section may be subject to an order pursuant to subsection (5) of this section unless the acquiring person files a preacquisition notification and the waiting period has expired. The acquired person may file a preacquisition notification. The commissioner shall give confidential

treatment to information submitted under this subsection (3) in the same manner as otherwise provided in this part 8; EXCEPT THAT THE NOTICE REQUIRED BY SUBSECTION (3)(d)(I) OF THIS SECTION MUST INCLUDE THE INFORMATION SPECIFIED IN SUBSECTION (3)(d)(I) OF THIS SECTION IF THE PREACQUISITION NOTIFICATION PRESENTS PRIMA FACIE EVIDENCE OF A VIOLATION OF THE COMPETITIVE STANDARD SPECIFIED IN SUBSECTION (4)(b) OF THIS SECTION.

(c) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3)(d) OF THIS SECTION:

(I) The waiting period begins on the date of receipt by the commissioner of a preacquisition notification and ends on the earlier of the thirtieth day after the date of receipt or termination of the waiting period by the commissioner; AND

(II) Before the end of the waiting period, the commissioner, on a one-time basis, may require the submission of additional needed information relevant to the proposed acquisition, in which event the waiting period ends on the earlier of the thirtieth day after receipt of the additional information by the commissioner or termination of the waiting period by the commissioner.

(d) IF THE PROPOSED ACQUISITION INVOLVES ONE OR MORE HEALTH INSURERS:

(I) THE COMMISSIONER SHALL PROVIDE PUBLIC NOTICE OF THE FILING OF AN APPLICATION FOR AN ACQUISITION OF CONTROL REFERRED TO IN SUBSECTION (2)(a) OF THIS SECTION NO LATER THAN FIVE BUSINESS DAYS AFTER THE RECEIPT OF THE PREACQUISITION NOTIFICATION REQUIRED BY SUBSECTION (3)(a) OF THIS SECTION. IF THE PREACQUISITION NOTIFICATION PRESENTS PRIMA FACIE EVIDENCE OF A VIOLATION OF THE COMPETITIVE STANDARD SPECIFIED IN SUBSECTION (4)(b) OF THIS SECTION, THE NOTICE MUST INCLUDE:

(A) THE RELEVANT PRODUCT FOR WHICH PRIMA FACIE EVIDENCE OF THE VIOLATION OF THE COMPETITIVE STANDARD WAS PRESENTED IN THE PREACQUISITION NOTICE;

(B) THE RELEVANT GEOGRAPHIC MARKET FOR WHICH PRIMA FACIE EVIDENCE OF THE VIOLATION OF THE COMPETITIVE STANDARD WAS PRESENTED IN THE PREACQUISITION NOTICE; AND

(C) AS SPECIFIED IN SUBSECTION (4)(b)(I)(A) OR (4)(b)(I)(B) OF THIS SECTION, THE SHARES OF THE MARKET IN WHICH PRIMA FACIE EVIDENCE OF THE VIOLATION OF THE COMPETITIVE STANDARD WAS PRESENTED IN THE PREACQUISITION NOTICE.

(II) THE COMMISSIONER SHALL REVIEW THE IMPACT OF A PROPOSED ACQUISITION ON COMPETITION WHEN THE PROPOSED ACQUISITION INVOLVES A TRANSACTION THAT THE COMMISSIONER DETERMINES WOULD PRESENT PRIMA FACIE EVIDENCE OF A VIOLATION OF THE COMPETITIVE STANDARD SPECIFIED IN SUBSECTION (4) OF THIS SECTION. THE REVIEW MUST INCLUDE A PUBLIC HEARING OR AN OPPORTUNITY FOR THE PUBLIC TO SUBMIT WRITTEN COMMENTS TO THE COMMISSIONER.

(III) THE WAITING PERIOD BEGINS ON THE DATE OF RECEIPT BY THE COMMISSIONER OF A PREACQUISITION NOTIFICATION AND, EXCEPT AS SPECIFIED IN SUBSECTION (3)(d)(IV) OF THIS SECTION, ENDS ON THE EARLIER OF THE THIRTIETH DAY AFTER THE DATE OF RECEIPT OF THE PREACQUISITION NOTIFICATION OR TERMINATION OF THE WAITING PERIOD BY THE COMMISSIONER.

(IV) IF THE COMMISSIONER ALLOWS FOR PUBLIC COMMENT AS PART OF THE REVIEW OF A MERGER, THE WAITING PERIOD ENDS ON THE EARLIER OF THE THIRTIETH DAY AFTER THE DATE OF RECEIPT OF THE PREACQUISITION NOTIFICATION OR TERMINATION OF THE WAITING PERIOD BY THE COMMISSIONER. IF THE COMMISSIONER HOLDS A HEARING AS PART OF THE REVIEW OF A MERGER, THE WAITING PERIOD ENDS ON THE DATE OF THE HEARING.

(V) BEFORE THE END OF THE WAITING PERIOD, THE COMMISSIONER, ON A ONE-TIME BASIS, MAY REQUIRE THE SUBMISSION OF ADDITIONAL NEEDED INFORMATION RELEVANT TO THE PROPOSED ACQUISITION.

(VI) NOTHING IN THIS SECTION PREVENTS AN APPLICANT FROM MAKING THE PREACQUISITION NOTIFICATION AVAILABLE FOR CONFIDENTIAL STAKEHOLDER INSPECTION.

(5) **Orders and penalties.** (a) (II) The commissioner shall not enter an order under this paragraph (a) unless:

(A) There is a hearing on the proposed order;

(B) EXCEPT FOR A HEARING HELD PURSUANT TO SUBSECTION (3)(d) OF THIS SECTION, notice of the hearing is issued before the end of the waiting period and not less than fifteen days before the hearing; ~~and~~

(C) FOR A HEARING HELD PURSUANT TO SUBSECTION (3)(d) OF THIS SECTION, NOTICE OF THE HEARING IS ISSUED BY THE LATER OF THE THIRTIETH DAY AFTER RECEIPT BY THE COMMISSIONER OF A PREACQUISITION NOTIFICATION OR BY THE DATE THE COMMISSIONER SETS FOR THE RECEIPT OF PUBLIC COMMENTS;

~~(C)~~ (D) EXCEPT FOR A HEARING HELD PURSUANT TO SUBSECTION (3)(d) OF THIS SECTION, the hearing is concluded and the order is issued no later than sixty days after the date of the filing of the preacquisition notification with the commissioner; AND

(E) FOR A HEARING HELD PURSUANT TO SUBSECTION (3)(d) OF THIS SECTION, THE HEARING IS CONCLUDED AND THE ORDER IS ISSUED NO LATER THAN SIXTY DAYS AFTER THE END OF THE WAITING PERIOD.

SECTION 2. Applicability. This act applies to applications for proposed acquisitions of control filed on or after the effective date of this act.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **HB17-1197** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **HB17-1116** be referred to the Committee on Appropriations with favorable recommendation.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB17-047** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Engrossed: SJR17-013 and 023.
Correctly Reengrossed: SB17-040, 074, 117, 193, 203, 213, and 230.
Correctly Rerevised: HB17-1103 and 1151.
Correctly Enrolled: SB17-146; SJR17-021.

MESSAGE FROM THE HOUSE

March 22, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1213, 1211.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1189, amended as printed in House Journal, March 21, 2017.
HB17-1214, amended as printed in House Journal, March 21, 2017.
HB17-1177, amended as printed in House Journal, March 21, 2017.

HB17-1218, amended as printed in House Journal, March 21, 2017.

The House has passed on Third Reading and returns herewith SB17-146.

The House has adopted and returns herewith SJR17-023.

MESSAGE FROM THE REVISOR OF STATUTES

March 22, 2017

We herewith transmit:

Without comment, HB17-1211 and 1213.
Without comment, as amended, HB17-1177, 1189, 1214, and 1218.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-020 by Senator(s) Williams A.; also Representative(s) Jackson--Concerning designating the fourth Thursday in March as "Tuskegee Airmen Commemoration Day".

On motion of Senator Williams, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, and Zenzinger.

Senate in recess. Senate reconvened.

The Senate proceeded out of order for a moment of personal privilege.

CONSIDERATION OF RESOLUTIONS (cont'd)

SJR17-022 by Senator(s) Donovan; also Representative(s) Hamner and Rankin, Mitsch Bush--Concerning Colorado Mountain College's 50 years of service and education to the state of Colorado, and, in connection therewith, recognizing the notable achievements and contributions of the College and its graduates.

On motion of Senator Donovan, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

The Senate proceeded out of order for moments of personal privilege.

MESSAGE FROM THE HOUSE

March 23, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1020 as printed in House Journal, March 23, 2017.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

SJR17-025 by Senator(s) Lundberg; also Representative(s) Buck--Concerning the recognition and commendation of the people of Colorado on the 100th anniversary of the incorporation of the Town of Estes Park, Colorado.

Laid over one day under Senate Rule 30(b).

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for reconsideration of the Report of the Committee of the Whole.

RECONSIDERATION OF ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the adoption of the Report of the Committee of the Whole for the Special Orders -- Second Reading of Bills -- Consent Calendar of Tuesday, March 21, as printed in the Senate Journal, page 495.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

Senators Holbert and Jones moved to amend the Report of the Committee of the Whole to show that the Special Orders Second Reading of Bills Consent Calendar consisting of HB17-1125, HB17-1083, HB17-1183, HB17-1173, HB17-1021, HB17-1145, HB17-1104, and HB17-1144 was laid over to the General Orders Second Reading of Bills

Consent Calendar for March 27, 2017.

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Laid over until Monday, March 27: HB17-1125, HB17-1083, HB17-1183, HB17-1173, HB17-1021, HB17-1145, HB17-1104, HB17-1144.

Upon request of Majority Leader Holbert, **HB17-1104** and **HB17-1173** were removed from the General Orders--Second Reading of Bills Consent Calendar of Monday, March 27, 2017, and were placed on the General Orders--Second Reading of Bills Calendar of Monday, March 27, 2017.

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:

SB17-200 by Senator(s) Priola, Hill, Martinez Humenik, Neville T.; also Representative(s) Navarro-- Concerning raising academic excellence in the public schools by distributing up to one percent of public school funding based on a competitive determination of academic excellence among peer school districts commencing in the 2018-19 budget year.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Gardner, Grantham, Holbert, Lundberg, Marble, Scott, and Smallwood.

SB17-116 by Senator(s) Neville T., Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Smallwood, Sonnenberg; also Representative(s) Van Winkle, Buck, Covarrubias, Everett, Humphrey, Leonard, Lundeen, Navarro, Neville P., Nordberg, Ransom, Saine, Sias, Williams D.--Concerning allowing a law-abiding person to carry a concealed handgun without a permit, and, in connection therewith, preserving current laws restricting the carrying of concealed handguns on certain property including public schools and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB17-111 by Senator(s) Neville T.; also Representative(s) Michaelson Jenet and Gray--Concerning measures to address medical marijuana inventory shortfalls, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Kerr, and Priola.

RECONSIDERATION OF SB17-116

SB17-116 by Senator(s) Neville T., Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Smallwood, Sonnenberg; also Representative(s) Van Winkle, Buck, Covarrubias, Everett, Humphrey, Leonard, Lundeen, Navarro, Neville P., Nordberg, Ransom, Saine, Sias, Williams D.--Concerning allowing a law-abiding person to carry a concealed handgun without a permit, and, in connection therewith, preserving current laws restricting the carrying of concealed handguns on certain property including public schools and reducing an appropriation.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB17-116.

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:

SB17-116 by Senator(s) Neville T., Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Smallwood, Sonnenberg; also Representative(s) Van Winkle, Buck, Covarrubias, Everett, Humphrey, Leonard, Lundeen, Navarro, Neville P., Nordberg, Ransom, Saine, Sias, Williams D.--Concerning allowing a law-abiding person to carry a concealed handgun without a permit, and, in connection therewith, preserving current laws restricting the carrying of concealed handguns on certain property including public schools and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1109 by Representative(s) Carver and Danielson; also Senator(s) Fields and Cooke--Concerning prosecuting in one jurisdiction a person who has committed sexual assaults against a child in different jurisdictions.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.

Laid over until Friday, March 31, retaining its place on the calendar.

HB17-1198 by Representative(s) Gray; also Senator(s) Gardner--Concerning the authority for a special district to increase the number of board members from five to seven.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-209 by Senator(s) Priola; also Representative(s) Weissman--Concerning access to the ballot by candidates.

Laid over until Monday, March 27, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hill, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1109, HB17-1198.
Laid over until Monday, March 27: SB17-209.
Laid over until Friday, March 31: SB17-138.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

HJR17-1020 by Representative(s) Catlin and McLachlan; also Senator(s) Coram--Concerning the remembrance of Ute history in Colorado, and, in connection therewith, honoring the culture and heritage of the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe.

Laid over one day under Senate Rule 30(e).

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-122 and 194; SJR17-017 and 021.

Senate in recess. Senate reconvened.

MESSAGE FROM THE GOVERNOR

March 23, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-008: CONCERNING LEGALIZING CERTAIN KNIVES.

Approved March 23, 2017 at 3:12pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

May 23, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE
WATER QUALITY CONTROL COMMISSION

for terms expiring February 15, 2019:

Barbara Jean Biggs of Denver, Colorado, reappointed;

Kevin James Greer, PE of Englewood, Colorado, appointed;

Fredrick J. Menzer of Breckenridge, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

October 26, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBERS OF THE
ADVISORY COMMITTEE TO THE PROPERTY
TAX ADMINISTRATOR

for terms expiring September 1, 2020:

Mark Douglas Chapin of Eagle, Colorado, to serve as an assessor from a county with a population under 75,000 and as a Democrat, reappointed;

Robyn A. Kashiwa Truby of Denver, Colorado, to serve as a non-assessor from a county with a population over 75,000, as the Chair of the Committee and as a Democrat, reappointed;

Philip Brent Vaughan of Rifle, Colorado, to serve as a non-assessor from the Western Slope and as a Republican, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Finance

July 15, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBER OF THE
PUBLIC EMPLOYEES' RETIREMENT BENEFIT PLANS

for a term expiring July 10, 2020:

Roger P. Johnson, CPA of Denver, Colorado, to serve as a representative with experience and competence in investment, management, finance, banking, economics, accounting, pension administration, or actuarial analysis, and as an Republican, and occasioned by the resignation of Benjamin H. Valore-Caplan of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Finance

December 21, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD

for a term expiring May 15, 2017:

Shepard J. Nevel of Denver, Colorado, a consumer of health care who is not a representative or an employee of a hospital, health insurance carrier, or other health care industry entity, and occasioned by the resignation of Mirna Ramirez-Castro of Thornton, Colorado, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 1/4/2017
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

September 21, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBER OF THE
CHARTER SCHOOL INSTITUTE BOARD

for a term expiring July 1, 2018:

Antonio Patrick Pares of Denver, Colorado, to serve as a member with experience as a charter school board member or founder of a charter school, experience as a public school administrator with experience working with charter schools, other board or public service experience, and as a Democrat, and occasioned by the resignation of Kurtis Matthew Indorf of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Education

July 11, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBER OF THE
CHARTER SCHOOL INSTITUTE BOARD

for terms expiring July 1, 2019:

Thomas Brinegar of Lafayette, Colorado, to serve as a member with other board or public service experience, and an Unaffiliated, appointed;

Yee-Ann Cho of Denver, Colorado, to serve as a member who has experience as a public school teacher, and as a Democrat, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Education

August 22, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint, and submit to your consideration, the following:

MEMBERS OF THE
ENERGY IMPACT ASSISTANCE
ADVISORY COMMITTEE

for terms expiring August 24, 2020:

Maryjo Marie Downey of Fort Collins, Colorado, reappointed;

Honorable Cari Hermacinski of Steamboat Springs, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

May 20, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE
GROUND WATER COMMISSION

for terms expiring May 1, 2020:

Steven Dale Kramer of Bethune, Colorado, a resident agriculturist from the Northern High Plains Basin, reappointed;

Eric Hecox of Denver, Colorado, to serve as a representative of municipal or industrial users, appointed;

Angela Beth Fowler of Glenwood Springs, Colorado, to serve as a representative of western slope municipal or industrial users, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

October 17, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
GROUND WATER COMMISSION

for a term expiring May 1, 2020:

James M. Noble of Denver, Colorado, to serve as a representative of municipal or industrial users, and occasioned by the resignation of Eric Hecox of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

August 8, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBERS OF THE
OIL AND GAS CONSERVATION COMMISSION

for terms expiring July 1, 2020:

Ashley Lowe Ager of Durango, Colorado to serve as a member with formal training or substantial experience in soil conservation or reclamation, west of the Continental Divide and as a Democrat, appointed;

Kent Jolley of Glenwood Springs, Colorado, to serve as a member actively engaged in agricultural production, as a royalty owner, west of the Continental Divide and as a Republican, appointed;

Winston Perry Pearce of Denver, Colorado, to serve as a member with substantial experience in the oil and gas industry and with a college degree in petroleum geology or petroleum engineering, and as a Democrat, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

July 21, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
STATE BOARD OF THE
GREAT OUTDOORS COLORADO TRUST FUND

for a term expiring April 15, 2017:

Karma Giulianelli of Golden, Colorado, a resident of the 7th Congressional District, and a Democrat, and occasioned by the resignation of James R. Spaanstra of Lakewood, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

January 9, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE
WATER QUALITY CONTROL COMMISSION

for terms expiring February 15, 2020:

Jane Kees Clary of Centennial, Colorado, appointed;

Michael Gooseff of Fort Collins, Colorado, appointed;

David Baumgarten of Gunnison, Colorado to serve as a representative who lives west of the continental divide, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/18/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

July 8, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
STATE BOARD OF LAND COMMISSIONERS

for a term expiring June 30, 2017:

John Michael Shaw of Denver, Colorado, to serve as a citizen at large and an Unaffiliated, and occasioned by the resignation of Buck Blessing of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

June 15, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit for your consideration, the following:

MEMBER OF THE
STATE BOARD OF HEALTH

for a term expiring March 1, 2019:

Evelinn A. Borrayo, PhD of Fort Collins, Colorado, a resident of the 2nd Congressional District and a Democrat, and occasioned by the resignation of Janelle Katherine Orsborn of Broomfield, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

COMMITTEE OF REFERENCE REPORTS

Finance

After consideration on the merits, the Committee recommends that **SB17-248** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 5, after "PROJECT." add "THE PROPOSED MODIFICATION OF THE PREVIOUSLY APPROVED PROJECT SHALL NOT CONSTITUTE MORE THAN TWENTY-FIVE PERCENT OF THE TOTAL CUMULATIVE DOLLAR AMOUNT OF THE STATE SALES TAX INCREMENT REVENUE THAT WAS AWARDED TO THE PROJECT PURSUANT TO SECTION 24-46-305 (3)(d).".

Page 3, strike lines 20 and 21 and substitute "ECONOMIC DEVELOPMENT. THE LOCAL GOVERNMENT IS".

Page 3, line 22, strike "BE".

Page 3, line 23, after "(2)(i)." add "THE LOCAL GOVERNMENT IS

RESPONSIBLE FOR THE COSTS ASSOCIATED WITH THE APPLICATION, INCLUDING THE THIRD-PARTY ANALYSIS AND THE STAFF COSTS OF THE OFFICE OF ECONOMIC DEVELOPMENT ASSOCIATED WITH REVIEWING THE APPLICATION.".

Page 4, line 3, strike "SHALL" and substitute "MAY".

Page 4, strike line 4 and substitute "MODIFICATION IF THE REVISED PROJECT MEETS THE".

Page 4, line 5, strike "THE" and substitute "IF THE COMMISSION APPROVES THE APPLICATION, THE".

Finance After consideration on the merits, the Committee recommends that **HB17-1081** 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 **HB17-1049** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 2, after "**amend**" insert "(1)(a)(I)(A) and".

Page 2, strike line 4 and substitute:

"**39-10-114. Abatement - cancellation of taxes.** (1) (a) (I) (A) Except as otherwise provided in ~~sub-subparagraphs (D) and (E) of this subparagraph (I)~~ SUBSECTIONS (1)(a)(I)(D) AND (1)(a)(I)(E) OF THIS SECTION, if taxes have been levied erroneously or illegally, whether due to erroneous valuation for assessment, irregularity in levying, clerical error, or overvaluation, the treasurer shall report the amount thereof to the board of county commissioners, which shall proceed to abate such taxes in the manner provided by law. The assessor shall make such report if the assessor discovers that taxes have been levied erroneously or illegally. If such taxes have been collected by the treasurer, the board of county commissioners shall authorize refund of the same in the manner provided by law. Except as provided in ~~sub-subparagraphs (E) and (F) of this subparagraph (I)~~ SUBSECTIONS (1)(a)(I)(E) AND (1)(a)(I)(F) OF THIS SECTION AND SECTION 39-5-125 (4), in no case shall an abatement or refund of taxes be made unless a petition for abatement or refund is filed within two years after January 1 of the year following the year in which the taxes were levied. For purposes of this ~~sub-subparagraph (A)~~ SUBSECTION (1)(a)(I)(A), "clerical error" shall include, but shall not be limited to, any clerical error made by a taxpayer in completing personal property schedules pursuant to the provisions of article 5 of this title. Notwithstanding any other law to the contrary, for purposes of this ~~sub-subparagraph (A)~~ SUBSECTION (1)(a)(I)(A), "erroneous valuation" shall include, but shall not be limited to: Any reclassification of property from agricultural land to any other classification of property for the property tax year commencing January 1, 1996, if the property in question qualifies for classification as agricultural land as determined pursuant to section 39-1-102 (1.6), as amended by Senate Bill 97-039, enacted at the first regular session of the sixty-first general assembly; and any denial of exemption from taxation for property claimed as agricultural and livestock products for the property tax year commencing January 1, 1996, if the property in question qualifies as agricultural and livestock products as determined pursuant to section 39-1-102 (1.1), as amended by Senate Bill 97-039, enacted at the first regular session of the sixty-first general assembly.

(b) Any taxes".

Page 3, strike lines 4 through 9 and substitute "FILED.

SECTION 2. In Colorado Revised Statutes, 39-5-125, **add** (4) as follows:

39-5-125. Omission - correction of errors. (4) IF OMITTED PROPERTY IS ADDED BY THE ASSESSOR OR THE TREASURER FOR A PRIOR ASSESSMENT YEAR, THEN A PETITION FOR ABATEMENT OR REFUND MAY BE FILED AT ANY TIME AFTER THE TAXES ARE LEVIED AND AN AMENDED TAX BILL HAS BEEN GENERATED, BUT BEFORE TWO YEARS AFTER JANUARY 1 OF THE YEAR FOLLOWING THE YEAR IN WHICH THE TAXES ARE LEVIED.".

Renumber succeeding section accordingly.

Local Government

After consideration on the merits, the Committee recommends that **HB17-1174** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 17, strike "FIFTY" and substitute "SIXTY".

Local Government

After consideration on the merits, the Committee recommends that **SB17-245** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, lines 6 and 7, strike "**one year.**" and substitute "**six months.**".

Page 2, line 8, strike "ONE YEAR" and substitute "SIX MONTHS".

Page 2, strike lines 12 through 20 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, 13-40-107, **amend** (1)(c) as follows:

13-40-107. Notice to quit. (1) A tenancy may be terminated by notice in writing, served not less than the respective period fixed before the end of the applicable tenancy, as follows:

(c) A tenancy of one month or longer but less than six months, ~~seven~~ TWENTY-ONE days;".

Page 1, line 102, strike "**ONE YEAR.**" and substitute "**SIX MONTHS.**".

Local Government

After consideration on the merits, the Committee recommends that **SB17-252** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

March 23, 2017

Mr. President:

The House has adopted and returns herewith SJR17-020, 022.

The House has postponed indefinitely SB17-005, 006, 007. The bills are returned herewith.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR17-026 by Senator(s) Cooke and Baumgardner, Garcia; also Representative(s) Sias--Concerning declaring the week of May 14-20, 2017, as Police Week, and, in connection therewith, declaring May 15, 2017, as Peace Officers' Memorial Day.

Laid over until Tuesday, March 28, retaining its place on the calendar.

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SM17-001 by Senator(s) Crowder; --Memorializing the president of the United States to support veterans who honorably served in the United States military.

Laid over one day under Senate Rule 30(d).

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR17-020, 022, and 023.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, March 23, 2017, at 11:00 a.m.:
SB17-024, 031, 033, 073, 110, 122, 123, 124, 134, and 194.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB17-253 by Senator(s) Marble and Guzman, Aguilar, Baumgardner, Cooke, Donovan, Fenberg, Fields, Hill, Holbert, Kefalas, Kerr, Lundberg, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Sonnenberg, Williams A., Zenzinger; also Representative(s) Garnett and McKean, Becker J., Becker K., Beckman, Bridges, Buckner, Covarrubias, Danielson, Ginal, Hansen, Herod, Hooton, Kennedy, Kraft-Tharp, Lawrence, Lebsock, Lontine, Mitsch Bush, Neville P., Nordberg, Pettersen, Ransom, Saine, Singer, Thurlow, Van Winkle, Willett, Winter, Wist--Concerning increasing the authority for certain providers of alcohol beverages to provide beverages to customers from approved sales rooms.
Business, Labor, & Technology

HB17-1008 by Representative(s) Arndt, Becker J.; also Senator(s) Sonnenberg--Concerning an exemption from the water quality control commission's graywater control regulations for graywater used for the purpose of scientific research involving human exposure.
Agriculture, Natural Resources, & Energy

HB17-1106 by Representative(s) Pettersen and Wilson; also Senator(s) Martinez Humenik--Concerning the early childhood leadership commission.
Health & Human Services

HB17-1177 by Representative(s) Wist and Garnett; also Senator(s) Cooke--Concerning the use of alternative methods of resolving disputes that arise under the "Colorado Open Records Act".
State, Veterans, & Military Affairs

HB17-1186 by Representative(s) Pettersen and Landgraf; also Senator(s) Coram--Concerning a requirement that health benefit plans required to cover contraception reimburse dispensers for dispensing a multiple-months' supply of prescription contraceptives.
State, Veterans, & Military Affairs

HB17-1188 by Representative(s) Foote; also Senator(s) Coram and Moreno--Concerning bias-motivated harassment.
State, Veterans, & Military Affairs

HB17-1189 by Representative(s) Danielson and Thurlow; also Senator(s) Scott--Concerning the limit on the number of terms a member of the Colorado wine industry development board may serve.
Business, Labor, & Technology

HB17-1201 by Representative(s) Coleman, Lundeen; also Senator(s) Zenzinger and Priola, Todd--Concerning authorization for granting a high school diploma endorsement in the combined disciplines of science, technology, engineering, and mathematics.
Education

HB17-1205 by Representative(s) Melton, Pabon; also Senator(s) Martinez Humenik--Concerning changing the definition of "salvage vehicle".
Transportation

HB17-1210 by Representative(s) Lontine and Buckner, Coleman, Young, Arndt, Hooton, Jackson, Pettersen, Bridges, Lawrence, Thurlow; also Senator(s) Priola and Fields, Cooke, Martinez Humenik, Gardner, Kerr, Tate, Todd--Concerning the discipline of preschool through second grade students enrolled in publicly funded education programs.
State, Veterans, & Military Affairs

HB17-1211 by Representative(s) Coleman, Arndt, Buckner, Lontine, Pettersen, Wilson, Sias; also Senator(s) Priola, Fields, Martinez Humenik--Concerning professional development for educators regarding disciplinary strategies for young students.
State, Veterans, & Military Affairs

HB17-1213 by Representative(s) Van Winkle; also Senator(s) Holbert--Concerning the transfer of a vehicle title upon the death of the vehicle's owner.
Transportation

HB17-1214 by Representative(s) Coleman, Gray, Rosenthal, Arndt, Covarrubias, Melton; also Senator(s) Tate, Kerr, Williams A.--Concerning efforts to encourage employee ownership of the state's existing small businesses.
State, Veterans, & Military Affairs

HB17-1215 by Representative(s) Coleman, Benavidez, Carver, Herod, Lawrence, Salazar, Weissman, Foote, Melton, Thurlow, Willett; also Senator(s) Gardner and Kagan, Aguilar, Coram--Concerning mental health support for peace officers.
Local Government

HB17-1218 by Representative(s) Garnett; also Senator(s) Priola--Concerning an expansion of the state's ability to share information about state financial institutions with other governmental regulators.
Finance

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, March 24, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

73rd Legislative Day Friday, March 24, 2017

Prayer — By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order — By the President *pro tempore* at 9:00 a.m.

Roll Call — Present--29
Excused--6, Coram, Fields, Grantham, Hill, Scott, Zenzinger.
Present later--1, Fields.

Quorum — The President *pro tempore* announced a quorum present.

Pledge — By Senator Smallwood.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Thursday, March 23, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Trans-portation — After consideration on the merits, the Committee recommends that **SB17-243** be referred to the Committee on Appropriations with favorable recommendation.

Trans-portation — After consideration on the merits, the Committee recommends that **SB17-231** 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 4, strike lines 10 through 27.

Page 5, strike lines 1 through 5 and substitute:

"**SECTION 5.** In Colorado Revised Statutes, 43-4-713, **amend** (1) introductory portion as follows:

43-4-713. Annual reports. (1) NOTWITHSTANDING SECTION 24-1-136 (11)(A)(I), no later than January 15, 2001, and no later than January 15 of each year thereafter, the executive director shall submit a report to the members of the joint budget committee of the general assembly, the members of the legislative audit committee of the general assembly, the chair of the transportation and energy committee of the house of representatives, and the chair of the transportation committee of the senate that includes, at a minimum, the following information:".

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **HB17-1070** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 4, line 22, strike "RELATING" and substitute "INCLUDING BUT NOT LIMITED".

Page 5, strike lines 6 and 7 and substitute SECTION 2-3-1602 AND THE HOUSE AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE AND THE SENATE AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE, OR ANY SUCCESSOR COMMITTEES. THE".

Page 5, line 25, strike "RELATING" and substitute "INCLUDING BUT NOT LIMITED".

Page 6, after line 2, insert:

"(III) IN OPERATING THE PILOT PROGRAM, THE CENTER OF EXCELLENCE SHALL NOT INTERFERE WITH ANY ACTIVE WILDFIRE SUPPRESSION EFFORT UNLESS THE CENTER IS GRANTED PERMISSION TO ASSIST IN SUCH EFFORT BY A SUPERVISING AGENCY WITH THE AUTHORITY TO GRANT SUCH PERMISSION.".

SENATE SERVICES REPORT

Correctly Printed: SB17-253; SJR17-025 and 026; SM17-001.
Correctly Reengrossed: SB17-111, 116, and 200.
Correctly Revised: HB17-1109 and 1198.
Correctly Enrolled: SJR17-017.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills -- Final Passage Calendar (HB17-1109, HB17-1198) of Friday, March 24 was laid over until Monday, March 27, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (HB17-1123, HB17-1193) of Friday, March 24 was laid over until Monday, March 27, retaining its place on the calendar.

CONSIDERATION OF RESOLUTIONS

SJR17-025 by Senator(s) Lundberg; also Representative(s) Buck--Concerning the recognition and commendation of the people of Colorado on the 100th anniversary of the incorporation of the Town of Estes Park, Colorado.

On motion of Senator Lundberg, the resolution was read at length and **adopted** by the following roll call vote:

YES	30	NO	0	EXCUSED	5	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	E	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	E
Fenberg	Y	Kagan	Y	Neville T.	Y	President	E
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Guzman, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Smallwood, Sonnenberg, Tate, Todd, and Williams A.

Senate in recess. Senate reconvened.

HJR17-1020 by Representative(s) Catlin and McLachlan; also Senator(s) Coram--Concerning the remembrance of Ute history in Colorado, and, in connection therewith, honoring the culture and heritage of the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe.

Laid over until Monday, March 27, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Memorials Calendar (SM17-001) of Friday, March 24, was laid over until Monday, March 27, retaining its place on the calendar.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

March 24, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1019, as printed in House Journal, March 24, 2017.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR17-1019 by Representative(s) Sias and Singer, Van Winkle; also Senator(s) Kefalas and Smallwood--Concerning recognizing March 24, 2017, as "ALS Awareness Day".

On motion of Senator Kefalas, the resolution was read at length and **adopted** by the following roll call vote:

YES	30	NO	0	EXCUSED	5	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	E	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	E
Fenberg	Y	Kagan	Y	Neville T.	Y	President	E
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Guzman, Holbert, Jahn, Jones, Kagan, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Sonnenberg, Tate, Todd, and Williams A.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, March 24 was laid over until Monday, March 27, retaining its place on the calendar.

Conference Committees to Report (*Pending House Action*): SB17-100.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, March 27, 2017.

Approved:

Jerry Sonnenberg
President *pro tempore*
of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

76th Legislative Day Monday, March 27, 2017

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Musical Presentation — By the Colorado Movement Choir.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 1 (b) was suspended to allow for persons other than Senators to lead the Pledge of Allegiance.

Pledge of Allegiance — By Senator Cooke's grandchildren, Katie Cooke and John B. Cooke V.

Reading of the Journal — On motion of Senator Williams, reading of the Journal of Friday, March 24, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Education — The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
STATE HISTORICAL SOCIETY
BOARD OF DIRECTORS

for terms expiring July 1, 2019:

Cathy Lee Carpenter Dea of Golden, Colorado, appointed;

Robert E. Musgraves of Denver, Colorado, reappointed.

Education — The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
BOARD OF TRUSTEES FOR THE
UNIVERSITY OF NORTHERN COLORADO

for a term expiring December 31, 2018:

Janice Carrie Sinden of Evergreen, Colorado, to serve as a Republican, and occasioned by the resignation of Kelly Marie Johnson, PhD, RN, MSN, NEA-BC, CRRN of Parker, Colorado, appointed;

effective December 31, 2016 for a term expiring December 31, 2020:

Anthony Darren Salazar of Denver, Colorado to serve as an Unaffiliated, reappointed.

Education The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLLEGEINVEST BOARD OF DIRECTORS

for terms expiring July 31, 2020:

Rita C. Felde of Evergreen, Colorado, reappointed;

Frederick Taylor of Denver, Colorado, appointed.

Education After consideration on the merits, the Committee recommends that **HB17-1194** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education After consideration on the merits, the Committee recommends that **HB17-1181** be referred to the Committee on Appropriations with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **SB17-114** be postponed indefinitely.

Education After consideration on the merits, the Committee recommends that **HB17-1184** 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 Engrossed: SJR17-025.
Correctly Revised: HJR17-1019.
Correctly Enrolled: SJR17-020, 022, and 023.

MESSAGE FROM THE HOUSE

March 24, 2017

Mr. President:

The House has adopted and returns herewith SJR17-025.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1233.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1155, amended as printed in House Journal, March 23, 2017.
HB17-1203, amended as printed in House Journal, March 23, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-065, amended as printed in House Journal, March 22, 2017.
SB17-106, amended as printed in House Journal, March 22, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

March 24, 2017

We herewith transmit:

Without comment, HB17-1233.
Without comment, as amended, HB17-1155 and 1203.
Without comment, as amended, SB17-065 and 106.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB17-254 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.
Appropriations

SB17-255 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning the creation of the technology advancement and emergency fund in the office of information technology, and, in connection therewith, making an appropriation.
Appropriations

SB17-256 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning hospital reimbursement rates for the 2017-18 state fiscal year.
Appropriations

SB17-257 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Rankin, Hamner, Young--Concerning the creation of the community museums cash fund for the administration of revenues generated by community museums operated by the state historical society, and, in connection therewith, making an appropriation.
Appropriations

SB17-258 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning the use of open educational resources in public institutions of higher education, and, in connection therewith, making an appropriation.
Appropriations

SB17-259 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning a transfer of money from the general fund to cash funds administered by state departments for the protection of the state's natural resources.
Appropriations

SB17-260 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning transfers to the general fund from cash funds with severance tax revenues.
Appropriations

SB17-261 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning the creation of the 2013 flood recovery account in the disaster emergency fund.
Appropriations

SB17-262 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the transfer of money from the general fund to cash funds that are used for the state's infrastructure.
Appropriations

SB17-263 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning capital-related transfers of money.
Appropriations

SB17-264 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Young, Hamner, Rankin--Concerning funding sources related to services for behavioral or mental health disorders.
Appropriations

SB17-265 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a transfer of money from the state employee reserve fund to the general fund.
Appropriations

SB17-266 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a reduction in the amount of the general fund reserve required for the fiscal year 2016-17.
Appropriations

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

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:

HB17-1109 by Representative(s) Carver and Danielson; also Senator(s) Fields and Cooke--Concerning prosecuting in one jurisdiction a person who has committed sexual assaults against a child in different jurisdictions.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Court, Donovan, Fenberg, Gardner, Grantham, Guzman, Holbert, Jahn, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Tate, Todd, Williams A., and Zenzinger.

HB17-1198 by Representative(s) Gray; also Senator(s) Gardner--Concerning the authority for a special district to increase the number of board members from five to seven.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields and Tate.

Committee of the Whole

On motion of Senator Moreno, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Moreno was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1125 by Representative(s) Nordberg and Winter, Kraft-Tharp; also Senator(s) Jahn and Smallwood, Donovan, Neville T.--Concerning eliminating the duty of the division of correctional industries to provide certain services for the state's correctional facilities.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1083 by Representative(s) Liston; also Senator(s) Gardner--Concerning an exemption for certain traffic violations of the requirement that a municipal judge inform a defendant of certain rights.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1183 by Representative(s) Foote; also Senator(s) Gardner--Concerning the repeal of the condition required to be satisfied for a provision of law governing the disclosure of communications with mental health professionals to take effect.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1021 by Representative(s) Danielson; also Senator(s) Cooke--Concerning the release of information by the division of labor standards and statistics in the department of labor and employment concerning an employer's violation of wage laws.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1145 by Representative(s) Herod, Liston, Nordberg, Pabon, Willett; also Senator(s) Gardner--Concerning authorization for amateur winemakers to enter wines in organized events.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1144 by Representative(s) Esgar, Becker J., Hansen; also Senator(s) Baumgardner, Kefalas, Sonnenberg--Concerning amendments to the automatic cash fund funding mechanism for payment of future costs attributable to certain of the state's capital assets.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-219 by Senator(s) Garcia and Hill, Court, Fenberg; also Representative(s) Lontine--Concerning the continuation of the local advisory boards for veterans community living centers.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-217 by Senator(s) Garcia; also Representative(s) Michaelson Jenet--Concerning the continuation of the board of commissioners of veterans community living centers.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-221 by Senator(s) Court; also Representative(s) Melton--Concerning the continuation of the court security cash fund commission.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-220 by Senator(s) Court, Fenberg, Cooke, Kerr, Merrifield; also Representative(s) Arndt--Concerning the continuation of the restorative justice coordinating council.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, March 23, page(s) 511-512 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1196 by Representative(s) Arndt; also Senator(s) Priola--Concerning changes to the training requirements for applicants for licensure under the "Barber and Cosmetologist Act".

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1179 by Representative(s) Saine and Ginal, Buckner, Herod, Hooton, Kennedy, Lontine, McLachlan, Melton, Michaelson Jenet, Mitsch Bush, Neville P., Nordberg, Pabon, Pettersen, Rankin, Singer, Williams D., Winter, Wist, Young, Lundeen, Carver, Lawrence, Beckman, Buck, Covarrubias, McKean, Navarro, Salazar, Sias, Thurlow, Van Winkle; also Senator(s) Marble and Court, Guzman, Neville T.--Concerning immunity for a person who renders emergency assistance from a locked vehicle.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-215 by Senator(s) Priola; also Representative(s) Gray--Concerning the continuation under the sunset law of the division of real estate, and, in connection therewith, implementing the recommendations contained in the sunset report prepared by the department of regulatory agencies.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, March 23, page 513 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1081 by Representative(s) Nordberg; also Senator(s) Fenberg--Concerning authority to offer in-state tuition classification at state-supported institutions of higher education for athletes training in Colorado in programs approved by the United States olympic committee.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1197 by Representative(s) Ginal; also Senator(s) Coram--Concerning the exclusion of marijuana from the definition of "farm products" with regard to regulation of farm products under the "Farm Products Act".

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Moreno, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-219, SB17-217, SB17-221, SB17-220 as amended, SB17-215 as amended, HB17-1125, HB17-1083, HB17-1183, HB17-1021, HB17-1145, HB17-1144, HB17-1196, HB17-1179, HB17-1081, HB17-1197.

Upon request of Majority Leader Holbert, **SB17-215** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Tuesday, March 28 and was placed at the end of the Third Reading of Bills Final Passage Calendar of Tuesday, March 28.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (HB17-1104, HB17-1173, SB17-209, HB17-1123, HB17-1193, HB17-1126, SB17-234, SB17-246, SB17-242, HB17-1110, HB17-1220, SB17-204, SB17-218, HB17-1049, HB17-1174, SB17-245, SB17-252) of Monday, March 27, 2017, was laid over until Tuesday, March 28, 2017, retaining its place on the calendar.

CONSIDERATION OF RESOLUTIONS

HJR17-1020 by Representative(s) Catlin and McLachlan; also Senator(s) Coram--Concerning the remembrance of Ute history in Colorado, and, in connection therewith, honoring the culture and heritage of the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe.

On motion of Senator Coram, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

CONSIDERATION OF MEMORIALS

SM17-001 by Senator(s) Crowder--Memorializing the president of the United States to support veterans who honorably served in the United States military.

On motion of Senator Crowder, the memorial was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

March 27, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1209, 1229.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1003, amended as printed in House Journal, March 24, 2017.
HB17-1185, amended as printed in House Journal, March 24, 2017.
HB17-1246, amended as printed in House Journal, March 24, 2017.

The House has passed on Third Reading and returns herewith SB17-177, 142, 178.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-036, amended as printed in House Journal, March 24, 2017.

The House has adopted the First Report of the First Conference Committee on SB17- 100, as printed in House Journal, March 27, 2017, and has repassed the bill as so amended. The bill is returned herewith.

The House has voted to concur in the Senate amendments to HB17-1151 and has repassed the bill as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

March 27, 2017

We herewith transmit:

Without comment, HB17-1209 and 1229.
Without comment, as amended, HB17-1003, 1185, and 1246.
Without comment, as amended, SB17-036.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB17-100

****
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 SB17-100, concerning qualified immunity for persons performing land stewardship activities on public lands, 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 5, line 4, strike "RECKLESS" and substitute "WILLFUL AND WANTON".

Page 5, line 10, strike "RECKLESS" and substitute "WILLFUL AND WANTON".

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Jerry Sonnenberg, Chariman	Lois Landgraf, Chairman
Randy Baumgardner	Jeni Arndt
Leroy Garcia	Diane Mitsch Bush

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

SB17-267 by Senator(s) Sonnenberg and Guzman; also Representative(s) Becker K. and Becker J.--Concerning the sustainability of rural Colorado.
Finance
Appropriations

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-016, 048, 062, 076, 125, and 144; SJR17-025.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, March 28, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

77th Legislative Day Tuesday, March 28, 2017

Prayer — By the chaplain, Dan File, Capitol Commission, Lake City.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Tate.
Present later--1, Tate.

Quorum — The President announced a quorum present.

Presentation of Colors — By the Pueblo County Sheriff's Office Honor Guard. Bureau Chief David Lucero, Sheriff Kirk Taylor, Sergeant Jeremy Bacor, Deputy Anthony Garcia-Serna, Deputy Joshua Koen, Deputy Michael Medina, and Deputy Joshua Rude.

Pledge — By Senator Coram.

Reading of the Journal — On motion of Senator Williams, reading of the Journal of Monday, March 27, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order to consider a resolution and to honor the fallen peace officers of the State of Colorado through ceremony.

Ceremonial Folding of Honor Flag — By the Weld County Sheriff's Office Honor Guard. Sergeant Gerald Porter, Deputy Raul Barron, Deputy Mauricio Gonzalez, Deputy Seana MacGregor, Deputy Jared Patterson, and Deputy Jon Patton.

Musical Presentation — By Deputy Timothy Lambert, Adams County Sheriff's Office Honor Guard. Performing "Green Hills of Tyrol" and "Amazing Grace" on the bagpipes, and "Taps" on the bugle.

CONSIDERATION OF RESOLUTIONS

SJR17-026 by Senator(s) Cooke and Baumgardner, Garcia; also Representative(s) Sias--Concerning declaring the week of May 14-20, 2017, as Police Week, and, in connection therewith, declaring May 15, 2017, as Peace Officers' Memorial Day.

On motion of Senator Cooke, the resolution was read at length as specified, and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1138** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-233** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-236** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-241** 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 4, strike lines 11 through 27.

Strike page 5.

Page 6, strike lines 1 through 21 and substitute:

"**SECTION 6.** In Colorado Revised Statutes, 18-1.3-1011, **amend** (1) introductory portion as follows:

18-1.3-1011. Annual report. (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before November 1, 2000, and on or before each November 1 thereafter, the department of corrections, the department of public safety, and the judicial department shall submit a report to the judiciary committees of the house of representatives and the senate, or any successor committees, and to the joint budget committee of the general assembly specifying, at a minimum:".

SENATE SERVICES REPORT

Correctly Printed: SB17-254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, and 267.
Correctly Engrossed: SB17-215, 217, 219, 220, and 221.
Correctly Revised: HB17-1021, 1081, 1083, 1125, 1144, 1145, 1179, 1183, 1196, and 1197.
Correctly Rerevised: HB17-1109 and 1198.
Correctly Enrolled: SB17-142, 177, and 178.

INTRODUCTION OF MEMORIALS

The following memorial was read by title and referred to the committee indicated:

SJM17-002 by Senator(s) Moreno and Martinez Humenik; also Representative(s) Benavidez and Michaelson Jenet--Memorializing former Representative and Senator Robert "Bob" Martinez.

Laid over one day under Senate Rule 30(d).

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1125 by Representative(s) Nordberg and Winter, Kraft-Tharp; also Senator(s) Jahn and Smallwood, Donovan, Neville T.--Concerning eliminating the duty of the division of correctional industries to provide certain services for the state's correctional facilities.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Senator Donovan requested her name be removed as co-sponsor on HB17-1125.

HB17-1083 by Representative(s) Liston; also Senator(s) Gardner--Concerning an exemption for certain traffic violations of the requirement that a municipal judge inform a defendant of certain rights.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Moreno.

HB17-1183 by Representative(s) Foote; also Senator(s) Gardner--Concerning the repeal of the condition required to be satisfied for a provision of law governing the disclosure of communications with mental health professionals to take effect.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields, Jahn, Jones, Kefalas, Kerr, Merrifield, Moreno, Todd, and Zenzinger.

HB17-1021 by Representative(s) Danielson; also Senator(s) Cooke--Concerning the release of information by the division of labor standards and statistics in the department of labor and employment concerning an employer's violation of wage laws.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Fenberg, Fields, Jones, Kefalas, Merrifield, Moreno, Todd, and Zenzinger.

HB17-1145 by Representative(s) Herod, Liston, Nordberg, Pabon, Willett; also Senator(s) Gardner--Concerning authorization for amateur winemakers to enter wines in organized events.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Fenberg, Fields, Grantham, Jones, Kerr, Merrifield, Moreno, Neville T., Tate, Todd, and Williams A.

HB17-1144 by Representative(s) Esgar, Becker J., Hansen; also Senator(s) Baumgardner, Kefalas, Sonnenberg--Concerning amendments to the automatic cash fund funding mechanism for payment of future costs attributable to certain of the state's capital assets.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB17-219 by Senator(s) Garcia and Hill, Court, Fenberg; also Representative(s) Lontine--Concerning the continuation of the local advisory boards for veterans community living centers.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Donovan, Fields, Jahn, Jones, Kefalas, Kerr, Merrifield, Todd, and Williams A.

SB17-217 by Senator(s) Garcia; also Representative(s) Michaelson Jenet--Concerning the continuation of the board of commissioners of veterans community living centers.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Fields, Jones, Kefalas, Kerr, Merrifield, Todd, and Williams A.

SB17-221 by Senator(s) Court; also Representative(s) Melton--Concerning the continuation of the court security cash fund commission.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB17-220 by Senator(s) Court, Fenberg, Cooke, Kerr, Merrifield; also Representative(s) Arndt--Concerning the continuation of the restorative justice coordinating council.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Fields, Kefalas, and Todd.

HB17-1196 by Representative(s) Arndt; also Senator(s) Priola--Concerning changes to the training requirements for applicants for licensure under the "Barber and Cosmetologist Act".

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kerr and Moreno.

HB17-1179 by Representative(s) Saine and Ginal, Buckner, Herod, Hooton, Kennedy, Lontine, McLachlan, Melton, Michaelson Jenet, Mitsch Bush, Neville P., Nordberg, Pabon, Pettersen, Rankin, Singer, Williams D., Winter, Wist, Young, Lundeen, Carver, Lawrence, Beckman, Buck, Covarrubias, McKean, Navarro, Salazar, Sias, Thurlow, Van Winkle; also Senator(s) Marble and Court, Guzman, Neville T.--Concerning immunity for a person who renders emergency assistance from a locked vehicle.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, and Tate.

HB17-1081 by Representative(s) Nordberg; also Senator(s) Fenberg--Concerning authority to offer in-state tuition classification at state-supported institutions of higher education for athletes training in Colorado in programs approved by the United States olympic committee.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Fields, Gardner, Grantham, Guzman, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Tate, Todd, and Williams A.

HB17-1197 by Representative(s) Ginal; also Senator(s) Coram--Concerning the exclusion of marijuana from the definition of "farm products" with regard to regulation of farm products under the "Farm Products Act".

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Fenberg, Gardner, Martinez Humenik, Merrifield, and Moreno.

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:

SB17-215 by Senator(s) Priola; also Representative(s) Gray--Concerning the continuation under the sunset law of the division of real estate, and, in connection therewith, implementing the recommendations contained in the sunset report prepared by the department of regulatory agencies.

A majority of those elected to the Senate having voted in the affirmative, Senator Priola was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.006), by Senator Priola.

Amend engrossed bill, page 7, line 27, strike "JULY 1," and substitute "JUNE 30,".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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: Tate.

Committee of the Whole

On motion of Senator Sonnenberg, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Sonnenberg was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-231 by Senator(s) Moreno, Kerr, Martinez Humenik, Tate; also Representative(s) Thurlow, Arndt, Hooton, Nordberg--Concerning the scheduled repeal of reports by the department of transportation to the general assembly.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, March 24, page 537 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 -- CONSENT CALENDAR

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-231 as amended.

Committee of the Whole

On motion of Senator Sonnenberg, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Sonnenberg was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1104 by Representative(s) Navarro, Lundeen, Carver, Liston, Nordberg, Williams D.; also Senator(s) Priola, Gardner, Hill--Concerning the exclusion from state taxable income of the monetary value of any medal won by an athlete while competing for the United States of America at the olympic games, so long as the athlete's federal adjusted gross income does not exceed a specified amount.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, March 21, page 486 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1173 by Representative(s) Hansen; also Senator(s) Neville T.--Concerning required provisions in a contract between a health insurance carrier and a health care provider concerning medical communications regarding disagreements in health care decisions.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-209 by Senator(s) Priola; also Representative(s) Weissman--Concerning access to the ballot by candidates.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 21, page(s) 477-478 and placed in members' bill files.)

Amendment No. 2(L.004), by Senator Priola.

Amend printed bill, page 3, after line 6 insert:

"**SECTION 3.** In Colorado Revised Statutes, 1-4-803, **add** (1)(c) as follows:

1-4-803. Petitions for nominating school district directors.

(1) (c) THE PETITION MAY DESIGNATE OR APPOINT ON ITS FACE ONE OR

MORE ELIGIBLE ELECTORS AS A COMMITTEE TO FILL VACANCIES IN THE NOMINATION.".

Renumber succeeding sections accordingly.

Page 4, line 27, strike "(a)".

Page 5, strike lines 6 through 9.

Page 27, after line 8 insert:

"**1-4-1009. Vacancies in school district director nomination.** (1) A VACANCY IN NOMINATION FOR A SCHOOL DISTRICT DIRECTOR CANDIDATE CAUSED BY THE DECLINATION, DEATH, DISQUALIFICATION, OR WITHDRAWAL OF ANY PERSON NOMINATED BY PETITION OCCURRING AFTER THE FILING OF THE PETITION FOR NOMINATION MAY BE FILLED BY THE PERSON OR PERSONS DESIGNATED OR APPOINTED ON THE PETITION WITHIN FIVE DAYS OF THE PERSON OR PERSONS LEARNING OF THE VACANCY.

(2) (a) WHEN A VACANCY IS FILLED IN ACCORDANCE WITH THIS SECTION BEFORE THE BALLOTS ARE PRINTED, THE COORDINATED ELECTION OFFICIAL SHALL CAUSE THE NAME OF THE REPLACEMENT CANDIDATE TO BE PRINTED ON THE BALLOT.

(b) WHEN A VACANCY IS FILLED IN ACCORDANCE WITH THIS SECTION AFTER THE BALLOTS ARE PRINTED:

(I) THE COORDINATED ELECTION OFFICIAL SHALL:

(A) PROMINENTLY POST, ON THE COORDINATED ELECTION OFFICIAL'S OFFICIAL WEBSITE AND IN EACH VOTER SERVICE AND POLLING CENTER, A NOTICE REGARDING THE VACANCY AND THE NAME OF THE REPLACEMENT CANDIDATE; AND

(B) EITHER CAUSE TO BE PRINTED AND PLACED ON THE SAMPLE BALLOT DELIVERED TO THE ELECTION JUDGES AND POSTED IN ACCORDANCE WITH SECTION 1-5-413 A STICKER OF A DIFFERENT COLOR THAN THE SAMPLE BALLOT INDICATING THE NAME OF THE REPLACEMENT CANDIDATE OR REPRINT THE SAMPLE BALLOT WITH THE NAME OF THE REPLACEMENT CANDIDATE IN A DIFFERENT COLOR; AND

(II) VOTES CAST FOR THE CANDIDATE WHO VACATED THE NOMINATION MUST BE COUNTED AS VOTES FOR THE REPLACEMENT CANDIDATE.".

Renumber succeeding C.R.S. section accordingly.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1123 by Representative(s) Lebsock and Thurlow, Neville P., Humphrey, Melton, Singer, Leonard; also Senator(s) Marble, Holbert--Concerning the ability of a local government to extend the hours during which alcohol beverages may be sold for consumption on a licensed premises.

Laid over until Friday, March 31, retaining its place on the calendar.

HB17-1193 by Representative(s) Kraft-Tharp and Becker J.; also Senator(s) Tate and Kerr--Concerning the installation of small wireless service infrastructure within a local government's jurisdiction, and, in connection therewith, clarifying that an expedited permitting process applies to small cell facilities and small cell networks and that the rights-of-way access afforded telecommunications providers extends to broadband providers and to small cell facilities and small cell networks.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, March 22, page 504 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1126 by Representative(s) Danielson and Michaelson Jenet; also Senator(s) Crowder--Concerning the review of legal sufficiency of medicaid appeals.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-234 by Senator(s) Kerr, Martinez Humenik, Moreno, Tate; also Representative(s) Thurlow, Arndt, Hooton, Nordberg--Concerning the scheduled repeal of reports by the department of human services to the general assembly.

Amendment No. 1(L.002), by Senator Kerr.

Amend printed bill, page 3, strike lines 2 through 12 and substitute:

"**SECTION 3.** In Colorado Revised Statutes, 19-2-411.5, **repeal** (5) as follows:

19-2-411.5. Juvenile facility - contract for operation. (5) ~~On an annual basis, the department of human services shall calculate the recidivism rate for committed juveniles in the custody of the department of human services who complete the program offered by the facility. In calculating the recidivism rate, the department of human services shall include any juvenile who commits a criminal offense, either as a juvenile or as an adult, within three years after leaving the facility. The department of human services shall report the recidivism rate to the general assembly.~~".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-246 by Senator(s) Martinez Humenik; also Representative(s) Michaelson Jenet and Singer--Concerning modernizing terminology relating to mental health disorders, and, in connection therewith, renaming the "legislative oversight committee concerning the treatment of persons with mental illness in the criminal and juvenile justice systems" to the "legislative oversight committee concerning the treatment of persons with mental health disorders in the criminal and juvenile justice systems" and making a corresponding change to the name of the associated task force.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-242 by Senator(s) Martinez Humenik; also Representative(s) Ginal and Ransom--Concerning modernizing terminology in the Colorado Revised Statutes related to behavioral health.

Amendment No. 1(L.001), by Senator Martinez Humenik.

Amend printed bill, page 34, lines 17 and 18, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 34, lines 21 and 22, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 34, lines 25 and 26, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 35, lines 2 and 3, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 35, line 8, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 36, line 14, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 36, line 18, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 36, line 22, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE

USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 36, lines 26 and 27, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 37, line 5, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 38, lines 6 and 7, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 38, lines 10 and 11, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 38, lines 14 and 15, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 38, lines 18 and 19, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 38, line 24, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 40, line 7, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 40, line 11, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 40, line 15, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 40, lines 19 and 20, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 40, line 25, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 41, line 27, strike "BEHAVIORAL," and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 42, line 1, strike "MENTAL HEALTH, OR SUBSTANCE USE".

Page 42, lines 4 and 5, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 42, lines 8 and 9, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 42, lines 13 and 14, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 42, line 19, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 45, lines 3 and 4, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 45, line 9, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 45, lines 13 and 14, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 45, line 19, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 45, line 26, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 46, line 22, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 46, lines 25 and 26, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 47, lines 2 and 3, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 47, lines 7 and 8, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 47, lines 12 and 13, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 48, lines 10 and 11, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 48, lines 14 and 15, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 48, lines 18 and 19, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 48, lines 23 and 24, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 49, line 2, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 56, lines 3 and 4, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 56, lines 7 and 8, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 56, lines 12 and 13, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 56, lines 18 and 19, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 56, lines 24 and 25, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 57, lines 18 and 19, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 57, lines 22 and 23, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 57, lines 26 and 27, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 58, lines 3 and 4, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 58, line 9, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 59, lines 3 and 4, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 59, lines 7 and 8, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 59, line 12, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 59, line 17, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 59, line 23, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 61, lines 2 and 3, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 61, lines 6 and 7, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 61, lines 10 and 11, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 61, lines 15 and 16, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 61, line 21, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 65, lines 18 and 19, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 65, lines 22 and 23, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 66, line 1, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 66, lines 5 and 6, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 66, line 11, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 69, line 15, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 69, line 20, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 69, lines 26 and 27, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 70, line 5, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 70, line 11, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 75, line 18, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 75, lines 22 and 23, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 75, line 27, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 76, lines 4 and 5, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

Page 76, lines 10 and 11, strike "BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE" and substitute "BEHAVIORAL OR MENTAL HEALTH".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1110 by Representative(s) Beckman; also Senator(s) Todd--Concerning juvenile court jurisdiction regarding matters related to parental responsibilities in a juvenile delinquency case.

Laid over until Friday, March 31, retaining its place on the calendar.

HB17-1220 by Representative(s) Becker K. and Wist, Carver, Esgar, Landgraf, Lawrence, Pabon, Thurlow, Van Winkle, Young; also Senator(s) Gardner and Fields, Priola--Concerning measures to stop diversion of legal marijuana to the illegal market.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 23, page(s) 509-510 and placed in members' bill files.)

Amendment No. 2(L.029), by Senator Gardner.

Amend reengrossed bill, page 6, strike lines 3 and 4 and substitute "(7)(e)(I)(A); and **add** (2)(e.3), (8.5)(a.5), (8.5)(b.5), (8.6)(a)(I.5), and (8.6)(a)(I.6) as follows:".

Page 7 of the bill, strike lines 24 through 27 and substitute "**circumstances.** (a) (I.5) UNLESS OTHERWISE EXPRESSLY AUTHORIZED BY LOCAL LAW,".

Page 8 of the bill, strike line 1.

Amend the Senate Judiciary Committee Report, dated March 22, 2017, page 1, line 3, strike "(8.6)(a)(I)(B)" and substitute "(8.6)(a)(I.5)".

Page 3 of the report, line 4, strike "(I)" and substitute "(A)".

Page 3 of the report, line 7, strike "(II)" and substitute "(B)".

Page 3 of the report, line 9, strike "(III)" and substitute "(C)".

Page 3 of the report, line 13, strike "(8.6)(a)(I)(B)" and substitute "(8.6)(a)(I.5)".

Page 3 of the report, line 15, strike "(C)" and substitute "(I.6)".

Page 3 of the report, line 16, strike "(8.6)(a)(I)(B)" and substitute "(8.6)(a)(I.5)".

Page 3 of the report, line 24, strike "THIS SUBSECTION (8.6)(a)(I)" and substitute "SUBSECTION (8.6)(a)(I) OF THIS SECTION".

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB17-204 by Senator(s) Priola; also Representative(s) Lawrence, Garnett--Concerning the improper denial of property and casualty insurance claims.

Laid over until Friday, March 31, retaining its place on the calendar.

SB17-218 by Senator(s) Kerr and Tate; also Representative(s) Kennedy--Concerning the continuation of the regulation of landscape architects by the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the recommendations contained in the sunset report prepared by the department of regulatory agencies.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 23, page 513 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1049 by Representative(s) Thurlow and Gray; also Senator(s) Coram--Concerning the elimination of refund interest related to a property tax abatement.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, March 23, page(s) 531-532 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1174 by Representative(s) Wilson, McLachlan, Valdez; also Senator(s) Crowder and Guzman--Concerning the establishment of an exception for rural counties from the limitations on the establishment of a local improvement district to fund the construction of a telecommunications service improvement for advanced service.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, March 23, page 532 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB17-252 by Senator(s) Tate; --Concerning the authority of a board of any political subdivision to enter into contracts for utility cost savings.

Amendment No. 1(L.002), by Senator Tate.

Amend printed bill, page 2, line 20, before "METERING" insert "UTILITY".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-245 by Senator(s) Priola; also Representative(s) Pabon--Concerning a twenty-one-day notice requirement in tenancies of one month or more but less than one year.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, March 23, page 532 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 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-209 as amended, SB17-234 as amended, SB17-246, SB17-242 as amended, SB17-218 as amended, SB17-252 as amended, SB17-245 as amended, HB17-1104 as amended, HB17-1173, HB17-1193 as amended, HB17-1126, HB17-1220 as amended, HB17-1049 as amended, HB17-1174 as amended.
Laid over until Friday, March 31: HB17-1123, HB17-1110, SB17-204.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-065 by Senator(s) Lundberg, Aguilar; also Representative(s) Lontine--Concerning a requirement that health care providers disclose the charges they impose for common health care services when payment is made directly rather than by a third party.

Senator Lundberg moved that the Senate concur in House amendments to **SB17-065**, as printed in House journal, March 22, page 584. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Grantham, Guzman, and Jones.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Consideration of House Amendments to Senate Bills calendar (SB17-106, SB17-036) of Tuesday, March 28, 2017, was laid over until Wednesday, March 29, 2017, retaining its place on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB17-100 by Senator(s) Sonnenberg; also Representative(s) Landgraf and Arndt--Concerning qualified immunity for persons performing land stewardship activities on public lands.

Senator Sonnenberg moved for the adoption of the first report of the first conference committee on **SB17-100**, as printed in Senate journal, March 27, page(s) 548-549. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Martinez Humenik and Tate.

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs

The Committee on State, Veterans, & Military Affairs has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2020:

Jessica Pocock of Colorado Springs, Colorado, to serve as a representative of the community at large and as an Unaffiliated, and occasioned by the resignation of Pankaj Sharma of Boulder, Colorado, appointed;

for a term expiring March 13, 2021:

Miguel "Michael" Rene Elias of Pueblo West, Colorado to serve as a member of the community at large, and as a Republican, reappointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1122** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB17-232** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 24-34-104, **amend** (27)(a) introductory portion; **repeal** (12)(a)(IV) and (12)(a)(V); and **add** (27)(a)(V) and (27)(a)(VI) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal. (12) (a) The following agencies, functions, or both, will repeal on July 1, 2017:

(IV) ~~The licensing of bingo and other games of chance through the secretary of state in accordance with article 9 of title 12, C.R.S.;~~

(V) ~~The Colorado bingo-raffle advisory board created in section 12-9-201, C.R.S.;~~

(27) (a) The following agencies, functions, or both, ~~will~~ ARE SCHEDULED FOR repeal on September 1, 2026:

(V) THE LICENSING OF BINGO AND OTHER GAMES OF CHANCE THROUGH THE SECRETARY OF STATE IN ACCORDANCE WITH PART 5 OF ARTICLE 21 OF THIS TITLE 24;

(VI) THE COLORADO BINGO-RAFFLE ADVISORY BOARD CREATED IN SECTION 24-21-530.

SECTION 2. In Colorado Revised Statutes, **add with amended and relocated provisions** part 5 to article 21 of title 24 as follows:

PART 5

BINGO AND RAFFLES LAW

24-21-501. [Formerly 12-9-101] Short title. ~~This article shall be known and may be cited as~~ THE SHORT TITLE OF THIS PART 5 IS the "Bingo and Raffles Law".

24-21-502. [Formerly 12-9-102] Definitions. As used in this ~~article~~ PART 5, unless the context otherwise requires:

(1) "Bingo" means a game of chance played, with or without the aid of an electronic device, for prizes using cards or sheets containing five rows of five squares bearing numbers, except for the center square which is a free space. Traditional bingo also requires that the letters "B I N G O" appear in order over each column. The holder of a card or sheet matches the numbers on such card or sheet to numbers randomly drawn. The game is won when a previously designated arrangement of numbers on such card or sheet is covered.

~~(1.1)~~ (2) "Bingo aid computer system" means a computer system that interfaces with and controls the use of electronic devices used as aids in the game of bingo.

~~(1.2)~~ (3) "Bingo-raffle licensee" means any qualified organization to which a bingo-raffle license has been issued by the licensing authority.

~~(1.3)~~ (4) "Bingo-raffle manufacturer" means a person, other than a bingo-raffle licensee, who makes, assembles, produces, or otherwise prepares pull tabs, bingo cards or sheets, electronic devices used as aids in the game of bingo, or other equipment or parts thereof for games of chance. ~~as defined in subsection (7) of this section.~~ "Bingo-raffle manufacturer" does not include a person who prints raffle tickets, other than pull tabs, for and at the request of a bingo-raffle licensee.

~~(1.4)~~ (5) "Bingo-raffle supplier" means a person, other than a bingo-raffle licensee, who sells, distributes, or otherwise furnishes pull tabs, bingo cards or sheets, electronic devices used as aids in the game of bingo, or other games of chance equipment. ~~as defined in subsection (5) of this section.~~ "Bingo-raffle supplier" does not include a person who prints raffle tickets, other than pull tabs, for and at the request of a bingo-raffle licensee.

~~(1.5)~~ (6) "Board" means the Colorado bingo-raffle advisory board created in section ~~12-9-201~~ 24-21-530.

~~(1.6)~~ (7) "Card" means either a disposable and nonreusable paper bingo card identified by color, serial number, and card number, or a reusable bingo card intended for repeated use, including but not limited to a hard card or shutter card. "Card" does not include an electronic representation or electronic image of a bingo card.

~~(1.7)~~ (8) "Charitable gaming" means bingo, pull tab games, and raffles. ~~as defined in subsections (1), (18.1), and (19.3) of this section.~~

~~(1.8)~~ (9) "Charitable organization" means any organization, not for pecuniary profit, that is operated for the relief of poverty, distress, or other condition of public concern within this state and that has been so engaged for five years prior to making application for a license under this ~~article~~ PART 5.

~~(2)~~ (10) "Chartered branch or lodge or chapter of a national or state organization" means any such branch or lodge or chapter that is a civic or service organization, not for pecuniary profit, and authorized by its written constitution, charter, articles of incorporation, or bylaws to engage in a fraternal, civic, or service purpose within this state and that has been so engaged for five years prior to making application for a license under this ~~article~~ PART 5.

~~(2.3)~~ (11) "Commercial bingo facility" means premises rented by a bingo-raffle licensee for the purpose of conducting games of chance.

~~(2.5)~~ (12) "Commercial landlord" means any person renting or offering to rent a commercial bingo facility to any bingo-raffle licensee.

~~(2.7)~~ (13) "Deal" means each separate package or series of packages of pull tabs with the same name, form number, serial number, and color code.

~~(3)~~ (14) "Dues-paying membership" means those members of an organization who pay regular monthly, annual, or other periodic dues or who are excused from paying such dues by the bylaws, articles of incorporation, or charter of the organization and those who contribute voluntarily to the corporation or organization to which they belong for the support of such corporation or organization.

~~(4)~~ (15) "Educational organization" means any organization within this state, not organized for pecuniary profit, whose primary purpose is educational in nature and designed to develop the capabilities of individuals by instruction and that has been in existence for five years prior to making application for a license under this ~~article~~ PART 5.

~~(5)~~ (16) "Equipment" means: With respect to bingo or lotto, the receptacle and numbered objects drawn from it, the master board upon which such objects are placed as drawn, the cards or sheets bearing numbers or other designations to be covered and the objects used to cover them, the board or signs, however operated, used to announce or display the numbers or designations as they are drawn, public address system, and all other articles essential to the operation, conduct, and playing of bingo or lotto; or, with respect to raffles, implements, devices, and machines designed, intended, or used for the conduct of raffles and the identification of the winning number or unit and the ticket or other evidence or right to participate in raffles. "Equipment" includes electronic devices used as aids in the game of bingo.

~~(5.5)~~ (17) "Exempt organization" means an organization: ~~that complies with each of the following criteria:~~

(a) That is exempt from taxation under section 501 (c)(3) of the federal "Internal Revenue Code of 1954", as amended; ~~through December 31, 1984;~~

(b) Of the type commonly known as a community chest, which organizes and carries out intensive, limited-time, and community-wide fund drive campaigns by volunteer workers soliciting charitable contributions from a broad base of citizens and businesses in the community with the objective of providing financial support to other organizations that are exempt from taxation under section 501 (c)(3) of the federal "Internal Revenue Code of 1954", as amended, ~~through December 31, 1984,~~ and that provides charitable, educational, civic, health, or human services within the same community and that has the further objective of minimizing the necessity for multiple, overlapping, and competing fund drives by such recipient organizations to enable them to deliver such services;

(c) That assists in acquiring noncash prizes donated by participating private businesses or government agencies as an ancillary means of creating interest in a charitable fund-raising drive held by such business or agency;

(d) That collects voluntary contributions and distributes more than eighty percent of such contributions to other organizations that are exempt from taxation under section 501 (c)(3) of the federal "Internal Revenue Code of 1954", as amended, ~~through December 31, 1984,~~ and that provide charitable, educational, civic, health, or human services;

(e) On behalf of whose fund-raising drives drawings are held by participating private businesses or government agencies, which drawings are open only to the employees of such businesses or agencies and are not open to the general public;

(f) Whose fund-raising drives are jointly planned and managed by the participating private businesses and government agencies; and

(g) Whose fund-raising drives include only the awarding of noncash prizes by the participating private businesses or government agencies.

~~(6)~~ (18) "Fraternal organization" means any organization within this state, including college and high school fraternities, not for pecuniary profit, that is a branch, lodge, or chapter of a national or state organization and exists for the common business, brotherhood, or other interests of its members and that has so existed for five years prior to making application for a license under this ~~article~~ PART 5. "Fraternal organization" also includes a graduate or alumni division or branch of a college fraternity, which division or branch holds a charter issued by the state of Colorado and that meets all other criteria set forth in this subsection ~~(6)~~ (18). As used in this subsection ~~(6)~~ (18), "fraternity" includes a sorority.

~~(7)~~ (19) "Game of chance" means that specific kind of game of chance commonly known as bingo or lotto in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and that specific kind of game of chance commonly known as raffles that is conducted by drawing for prizes or the allotment of prizes by chance, by the selling of shares or tickets or rights to participate in such a game.

~~(8)~~ (20) "Gross receipts" means receipts from the sale of shares, tickets, or rights in any manner connected with participation in a game of chance or the right to participate therein, including any admission fee or charge, the sale of equipment or supplies, the sale or lease of electronic devices used as aids in the game of bingo, and all other miscellaneous receipts.

~~(9)~~ (21) "Labor organization" means any organization, not for pecuniary profit, within this state that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work and that has existed for such purpose and has been so engaged for five years prior to making application for a license under this ~~article~~ PART 5.

~~(9.5)~~ (22) "Landlord licensee" means the holder of a current, valid commercial landlord license.

~~(10)~~ (23) "Lawful purposes" means the lawful purposes of organizations permitted to conduct games of chance, as provided in section 2 of article XVIII of the state constitution.

~~(11)~~ (24) "Lawful use" means the devotion of the entire net proceeds of a game of chance exclusively to lawful purposes.

~~(11.5)~~ (25) "License" means any license or certification issued by the licensing authority pursuant to this ~~article~~ PART 5, including, without limitation, the certification of a games manager pursuant to section ~~12-9-105.1~~ 24-21-510.

~~(12)~~ (26) "Licensed agent" means an individual who holds a current, valid agent's license for a bingo-raffle manufacturer or supplier.

~~(12.5)~~ (27) "Licensee" means the holder of any license or certification issued by the licensing authority pursuant to this ~~article~~ PART 5. "Licensee" includes the former holder of such license or certification for purposes of investigation of activities that took place during the period in which such license or certification was effective.

~~(13)~~ (28) "Licensing authority" means the secretary of state or his or her duly authorized deputy.

~~(13.3)~~ (29) "Manufacturer's agent" means an individual who represents a manufacturer in any of its activities in connection with the presales, driver sales, or distribution with excess stock of pull tabs, bingo cards or sheets, electronic devices used as aids in the game of bingo, or other games of chance equipment; except employees of commercial delivery services.

~~(13.5)~~ (30) "Manufacturer licensee" means the holder of a current, valid Colorado manufacturer license.

~~(14)~~ (31) "Member" means an individual who has qualified for membership in a qualified organization pursuant to its bylaws, articles of incorporation, charter, rules, or other written statement.

~~(15)~~ (32) "Net proceeds" means the receipts less such expenses, charges, fees, and deductions as are specifically authorized under this ~~article~~ PART 5.

~~(16)~~ (33) "Occasion" means a single gathering or session at which a series of successive bingo games is played.

~~(17)~~ (34) "Person" means a natural person, firm, association, corporation, or other legal entity.

~~(18)~~ (35) "Premises" means any room, hall, enclosure, or outdoor area used for the purpose of playing a game of chance.

~~(18.1)~~ (36) "Pull tab game" means a type of game of chance commonly known as a pickle, break-open, jar raffle, last sale ticket, or seal card for which tickets are preprinted with markings distinguishing winners and nonwinners, each ticket so made that its markings and winning or nonwinning status cannot be known or revealed until the ticket is broken or torn apart.

~~(19)~~ (37) (a) "Qualified organization" means any bona fide chartered branch, lodge, or chapter of a national or state organization or any bona fide religious, charitable, labor, fraternal, educational, voluntary firefighters', or veterans' organization operating without profit to its

members that has been in existence continuously for a period of five years immediately prior to the making of an application for a license under this ~~article~~ PART 5 and that has had, during the entire five-year period, a dues-paying membership engaged in carrying out the objects of said corporation or organization.

(b) "Qualified organization" includes, without limitation:

(I) A political party; and

(II) The Colorado state fair authority.

~~(19.3)~~ (38) "Raffle" means a game in which a participant buys a ticket for a chance at a prize with the winner determined by a random method as determined by rules of the licensing authority, or a pull tab ticket as described in subsection ~~(18.1)~~ (36) of this section. The term "raffle" does not include any activity that is authorized or regulated by the state lottery division pursuant to part 2 of article 35 of THIS title 24 ~~C.R.S.~~, or the "Limited Gaming Act of 1991", article 47.1 of ~~this title~~ TITLE 12.

~~(20)~~ (39) "Religious organization" means any organization, church, body of communicants, or group, not for pecuniary profit, gathered in common membership for mutual support and edification in piety, worship, and religious observances or a society, not for pecuniary profit, of individuals united for religious purposes at a definite place, ~~that~~ WHICH organization, church, body of communicants, group, or society has been so gathered or united for five years prior to making application for a license under this ~~article~~ PART 5.

~~(20.1)~~ (40) "Sheet" means a leaf of paper upon which is printed one or more disposable bingo cards.

~~(20.3)~~ (41) "Supplier's agent" means an individual who represents a bingo-raffle supplier in the course of the bingo-raffle supplier's presales, driver sales, or distribution with excess bingo-supplier stock, electronic devices used as aids in the game of bingo, or chance equipment on hand; except THAT THE TERM DOES NOT INCLUDE employees of commercial delivery services.

~~(20.5)~~ (42) "Supplier licensee" means the holder of a current, valid Colorado supplier license.

~~(21)~~ (43) "Veterans' organization" means any organization within this state or any branch, lodge, or chapter of a national or state organization within this state, not for pecuniary profit, the membership of which consists of individuals who were members of the armed services or forces of the United States, that has been in existence for five years prior to making application for a license under this ~~article~~ PART 5.

~~(22)~~ (44) "Voluntary firefighters' organization" means any organization within this state, not for pecuniary profit, established by the state or any of its political subdivisions that has been in existence for five years prior to making application for a license under this ~~article~~ PART 5.

24-21-503. [Formerly 12-9-102.3] Fraud and deception prohibited. (1) ~~No~~ A bingo-raffle licensee, landlord licensee, ~~bingo-raffle~~ supplier ~~bingo-raffle~~ LICENSEE, manufacturer LICENSEE, or any member or agent thereof engaged in any charitable gaming activity shall NOT, directly or indirectly:

(a) Employ any device, scheme, or artifice to defraud or deceive;

(b) Intentionally make any untrue or misleading statement of fact; or

(c) Engage in any act, practice, or course of conduct constituting fraud or deceit.

24-21-504. [Formerly 12-9-102.5] Legislative declaration - consideration for tickets - conditions - rules. (1) The general assembly hereby finds and declares that prize promotions involving the conduct of free product giveaways through the use of free chances for purposes of commercial advertisement, the creation of goodwill, the promotion of new products or services, or the collection of names should not be subject to regulation under this ~~article~~ PART 5. The giveaways described in this subsection (1) are exempt from regulation under this ~~article~~ PART 5 when all of the conditions set forth in this section are satisfied.

(2) No award of prizes by chance for a purpose set forth in subsection (1) of this section is a lottery or game of chance, nor is any share, ticket, or right to participate in an award of prizes deemed to have been sold or charged for, notwithstanding that the award is made to persons who have paid a fee entitling them to general admission to the grounds or premises on which the award is made, if each share or ticket

by means of which the award is made is given away free of charge and without any obligation on the part of the person receiving it.

~~(3) (Deleted by amendment, L. 99, p. 1411, § 1, effective June 5, 1999.)~~

~~(4)~~ (3) (a) (I) A licensee may conduct a prize promotion on the licensed premises, whether the premises are rented or owned by the licensee. A licensee shall clearly disclose, in the rental agreement or otherwise, the promotion and its cost, if any, to the licensee, pursuant to rules adopted by the licensing authority.

(II) A landlord licensee shall not require a bingo-raffle licensee to participate in or conduct a promotion under this section, nor may a games manager for any occasion assist in any promotion conducted during an occasion by a landlord licensee. Prizes offered as part of a promotion are not prizes subject to limitation under section ~~12-9-107~~ 24-21-517 (5).

(b) Before conducting a promotion under this section, the licensee shall provide evidence of ownership, free and clear, of the prizes to be offered unless all of the prizes are available for viewing on the premises on the day they are to be awarded. The licensee offering any promotional prize shall disclose, at the beginning of the promotion, full and complete information identifying the prizes to be awarded and the method by which the prizes may be won. ~~This disclosure need not be made separately or personally to each participant, but may be made by conspicuously posting or displaying, at the premises where the promotion is being conducted, either the available prizes themselves or a list and complete description of the prizes and the method by which they may be won.~~

(c) Within ten days after the award of any prize, the licensee shall file with the licensing authority a written report containing a description of the prize, the value of the prize, and such other information as the licensing authority may require by rule. Any prize offered pursuant to this section must be awarded by the end of the calendar quarter in which it was offered.

(d) The licensing authority may establish by rule the maximum amount or value of a cash prize or a prize of a product or service that may be awarded; except that such maximum amount must be at least one thousand dollars.

(4) A BINGO-RAFFLE LICENSEE MAY, DIRECTLY OR THROUGH A THIRD PARTY, PRESELL TICKETS TO A CHARITABLE GAMING EVENT, INCLUDING BY ELECTRONIC MEANS AND THROUGH THE INTERNET.

24-21-505. [Formerly 12-9-103] Licensing and enforcement authority - powers - rules - duties - license suspension or revocation proceedings - definitions. (1) The secretary of state is hereby designated as the "licensing authority" of this ~~article~~ PART 5. As licensing authority, the secretary of state's powers and duties are as follows:

(a) (I) To grant or refuse to grant bingo-raffle licenses under this ~~article~~ PART 5 and to grant or refuse to grant licenses to landlords, manufacturers, manufacturers' agents, suppliers, and suppliers' agents. If any such license application has not been approved or disapproved within forty-five days after the licensing authority has received all information that constitutes a complete application, the license shall be deemed to be approved. The licensing authority shall notify the applicant upon receipt of all information that the licensing authority deems a complete application. Such notification shall be the start of the forty-five-day period in which the licensing authority shall affirmatively act upon the application. The licensing authority's failure to act upon an application within forty-five days after receipt shall not preclude the licensing authority from later filing a complaint challenging the application on the ground that it is in conflict with the Colorado constitution or this ~~article~~ PART 5. All such licenses and applications for such licenses shall be made available for inspection by the public. In addition, the licensing authority has the power and the responsibility, after investigation and hearing before an administrative law judge, to suspend or revoke any license issued by the licensing authority, in accordance with any order of such administrative law judge. When a license is ordered suspended or revoked, the licensee shall surrender the license to the licensing authority on or before the effective date of the suspension or revocation. No license is valid beyond the effective date of the suspension or revocation, whether surrendered or not. Any

bingo-raffle license may be temporarily suspended for a period not to exceed ten days pending any prosecution, investigation, or public hearing.

(II) In lieu of seeking a suspension or revocation of any license issued by the licensing authority, the licensing authority may impose a reasonable fine for any violation of this ~~article~~ PART 5 or any rule adopted pursuant to this ~~article~~ PART 5, not to exceed one hundred dollars per citation. The imposition of any such fine may be appealed to an administrative law judge.

(III) An applicant may request administrative review of a refusal by the licensing authority to grant or renew a license in accordance with subsection ~~(2)~~ (3) of this section. To be entitled to administrative review, the applicant must request the review in writing within sixty days after the date of the licensing authority's refusal.

(IV) If a licensee or bingo-raffle affiliate fails within forty-five days after a written request by the licensing authority to voluntarily produce records at the office of the licensing authority, or if a licensee fails to file a report within the time required by this ~~article~~ PART 5, or if such report is not properly verified or is not fully, accurately, and truthfully completed on its face, the licensing authority may refuse to renew the licensee's license until the licensee has corrected such failure or deficiency. If the licensing authority refuses to renew a license pursuant to this ~~subparagraph (IV)~~ SUBSECTION (1)(a)(IV), the licensee shall not engage in activity authorized by such license until such license is renewed.

(b) To supervise the administration and enforcement of this ~~article~~ PART 5 and, in consultation with the board, to adopt, amend, and repeal rules governing the holding, operating, and conducting of games of chance, the purchase of equipment, the establishment of a schedule of reasonable fines, not to exceed one hundred dollars per citation, for violation by licensees of this ~~article~~ PART 5 or of rules adopted pursuant to this ~~article~~ PART 5, to the end that games of chance shall be held, operated, and conducted only by licensees for the purposes and in conformity with the state constitution and the provisions of this ~~article~~ PART 5;

(c) To provide forms for and supervise the filing of any reports made by mail, computer, electronic mail, or any other electronic device by any licensee. As soon as possible after July 1, 2006, the licensing authority shall ensure that delivery of a document subject to this ~~article~~ PART 5 by an applicant or a licensee may be accomplished electronically without the necessity for presentation of a physical original document, report, or image, if all required information is included and is readily retrievable from the data transmitted. The licensing authority may, by rule, require certain organizations to file reports and other documents electronically. All electronically filed documents shall be stored by the licensing authority in an electronic or other medium and shall be retrievable by the licensing authority in an understandable and readable form. Notwithstanding any other provision of law requiring the signature of, or execution by, a person on a document, no such signature shall be required when the document is submitted electronically. Causing a document to be delivered to the licensing authority by an applicant or a licensee shall constitute the affirmation or acknowledgment of the individual causing the delivery, under penalty of perjury, that the document is the individual's act and deed or the act and deed of the organization or entity on whose behalf the document was delivered and that the facts stated in the document are true.

(d) Upon application by any licensee, to issue a letter ruling granting approval for any new concept, method, technology, practice, or procedure that may be applied to, or used in the conduct of, games of chance that are not in conflict with the constitution or this ~~article~~ PART 5. Application for such approval shall be submitted in a form prescribed by the licensing authority. If an application is not acted upon within forty-five days after receipt by the licensing authority, the licensee may implement such concept, method, technology, practice, or procedure so long as it is not in conflict with the constitution or this ~~article~~ PART 5; except that the licensing authority's failure to act upon an application within forty-five days after receipt shall not preclude the licensing authority from later filing a complaint challenging such concept, method, technology, practice, or procedure on the ground that it is in conflict with

the constitution or this ~~article~~ PART 5. An adverse ruling on such application may be appealed to an administrative law judge.

(e) To keep records of all actions and transactions relating to licensing and enforcement activity;

(f) To prepare and transmit annually, in the form and manner prescribed by the heads of the principal departments pursuant to ~~the provisions of~~ section 24-1-136, ~~C.R.S.,~~ a report accounting to the governor for the efficient discharge of all responsibilities assigned by law or directive to the authority, and to issue publications of the authority intended for circulation in quantity outside the executive branch in accordance with ~~the provisions of~~ section 24-1-136; ~~C.R.S.~~

(g) To license devices for reading pull tabs as provided in section ~~12-9-107.2~~ 24-21-519; except that the licensing authority shall not impose or collect any fee for the issuance of such a license.

~~(1.5)~~ (2) For the purpose of any investigation or examination of records, the licensing authority or any officer designated by the licensing authority may require, at the office of the licensing authority, the production of any books, papers, correspondence, memoranda, agreements, or other documents or records that the licensing authority deems relevant or material to the inquiry. In case of refusal to obey a request for the production of documents issued to any licensee or an affiliate of a licensee, the district court of the city and county of Denver, upon application by the licensing authority, may issue an order requiring that person to appear before the licensing authority or the officer designated by the licensing authority to produce documents or to give evidence touching upon the matter under investigation or in question. Failure to obey the order of the court may be punished by the court as a contempt of court.

~~(2)~~ (3) The licensing authority may revoke, suspend, annul, limit, modify, or refuse to grant or renew a license in accordance with section 24-4-104. ~~C.R.S.~~ Hearings that are held to administratively review the licensing authority's decision to refuse to grant or renew a license or to determine whether a licensee's license should be revoked, suspended, annulled, limited, or modified shall be conducted by an administrative law judge appointed pursuant to part 10 of article 30 of THIS title 24 ~~C.R.S.~~ and shall be held in the manner and pursuant to the rules and procedures described in sections 24-4-104, 24-4-105, and 24-4-106. ~~C.R.S.~~ An administrative law judge shall hold and conclude hearings in accordance with the rules, with reasonable dispatch and without unnecessary delay, and shall issue a decision within ten days after the hearing.

~~(3)~~ (4) (a) Upon a finding by an administrative law judge of a violation of this ~~article~~ PART 5, the rules adopted pursuant to this ~~article~~ PART 5, or any other provision of law, such as would warrant the revocation, suspension, annulment, limitation, or modification of a license, in addition to any other penalties that may be imposed, the licensing authority may declare the violator ineligible to conduct a game of bingo and to apply for a license pursuant to this ~~article~~ PART 5 for a period not exceeding ~~five~~ THREE years after the date of ~~such~~ THE declaration or a shorter period designated by the licensing authority pursuant to this subsection ~~(3)~~ (4). The licensing authority shall designate a shorter period of license ineligibility only in the absence of aggravating factors associated with the violation for which the revocation was imposed. Aggravating factors ~~shall~~ include willfulness, intent, a previous intentional violation of this ~~article~~ PART 5, and violations involving theft or fraud. ~~Such~~ THE declaration of ineligibility may be extended to include, in addition to the violator, any of its subsidiary organizations, its parent organization, or otherwise, affiliated with the violator when, in the opinion of the licensing authority, the circumstances of the violation warrant such action.

(b) The decision of the administrative law judge in any controversy concerning licensing, the imposition of a fine, or the approval of any proposed new concept, method, technology, practice, or procedure ~~shall be~~ IS final and subject to review by the court of appeals, pursuant to ~~the provisions of~~ section 24-4-106 (11). ~~C.R.S.~~

~~(4) (Deleted by amendment, L. 2006, p. 986, § 3, effective May 25, 2006.)~~

(5) Upon an administrative or judicial finding of a violation of this ~~article~~ PART 5, the rules adopted pursuant to this ~~article~~ PART 5, or

any other provision of law, such as would warrant the suspension or revocation of a license, the licensing authority, in addition to any other penalties that may be imposed, may issue an order excluding the violator or any owner, officer, director, or games manager of the violator from the licensed premises during the conduct of games of chance.

~~(6) (a) The secretary of state shall confer with the executive director of the department of revenue or his or her designee concerning:~~

~~(I) The desirability and practicability of transferring the responsibility for enforcement, licensing, or both under this article from the secretary of state to the department of revenue;~~

~~(II) The constitutional and statutory changes that would be necessary to effectuate such transfer; and~~

~~(III) The recommendations of the secretary of state and the executive director of the department of revenue for any other or additional constitutional or statutory changes to improve the regulation of bingo and raffles in Colorado.~~

~~(b) On or before December 31, 2008, the secretary of state and the executive director of the department of revenue shall jointly prepare and transmit a report of their findings and recommendations to the house and senate committees on finance and the house and senate committees on state, veterans, and military affairs, or their successor committees.~~

24-21-506. [Formerly 12-9-103.5] Fees - department of state cash fund. (1) All fees collected by the licensing authority pursuant to this ~~article~~ PART 5 shall be transmitted to the state treasurer, who shall credit ~~the same~~ THEM to the department of state cash fund created in section 24-21-104 (3)(b), ~~C.R.S.~~ also referred to in this section as the "fund". The ~~moneys~~ MONEY in the fund ~~shall be~~ IS subject to annual appropriation by the general assembly for the purposes of financing the licensing and enforcement activities of the secretary of state as specified in this ~~article~~ PART 5.

~~(2) (Deleted by amendment, L. 2002, p. 1648, § 5, effective August 7, 2002.)~~

~~(3)~~ (2) (a) Fees authorized by this ~~article~~ PART 5 shall be established by the licensing authority, in consultation with the board, in amounts sufficient to ensure that the total revenue generated by the collection of such fees approximates the direct and indirect costs incurred by the licensing authority in carrying out its duties under this ~~article~~ PART 5. The amounts of all fees shall be reviewed annually. The licensing authority shall furnish to the board both an annual and a quarterly accounting of all fee and fine revenues received and expenditures made pursuant to this ~~article~~ PART 5, together with a list of all fees in effect.

(b) The cost of implementing the electronic application and report filing system required by section ~~12-9-103~~ 24-21-505 (1)(c), including the cost of promulgating any new or amended rules for use of the system, shall be recovered through a temporary fee increase or surcharge assessed on licensees during the first five years of operation of the system. The licensing authority shall establish the temporary fee or surcharge on a sliding or graduated scale, based on the quarterly gross receipts of each licensee that is required to file quarterly reports or pay fees under section ~~12-9-107.5 (5)~~ 24-21-521 (4) or ~~section 12-9-108~~ 24-21-522 (6)(b), and in an amount sufficient to recover all of such costs within the five-year period.

~~(4)~~ (3) All fines assessed pursuant to this ~~article~~ PART 5 shall be paid to the state treasurer who shall credit the same to the general fund of the state.

24-21-507. [Formerly 12-9-104] Bingo-raffle license - fee. (1) A bona fide chartered branch, lodge, or chapter of a national or state organization or any bona fide religious, charitable, labor, fraternal, educational, voluntary firefighters', or veterans' organization or any association, successor, or combination of association and successor of any of ~~the said~~ THESE organizations that operates without profit to its members, ~~and that~~ has been in existence continuously for a period of five years immediately prior to the making of application for a bingo-raffle license under this ~~article~~ PART 5, and has had during the entire five-year period dues-paying members engaged in carrying out the objects of ~~said~~ THE corporation or organization is eligible for a bingo-raffle license to be issued by the licensing authority under this ~~article~~ PART 5. If a license is revoked, the bingo-raffle licensee and holder thereof is not eligible to apply for another license under subsection (2) of this section until ~~after~~

~~the expiration of the period of five~~ THREE years after the date of ~~such~~ THE revocation.

(2) The bingo-raffle licenses provided by this ~~article~~ PART 5 shall be issued by the licensing authority to applicants qualified under this ~~article~~ PART 5 upon payment of a fee established in accordance with section ~~12-9-103.5 (3)~~ 24-21-506 (2). Licenses ~~shall~~ expire at the end of the calendar year in which they were issued by the licensing authority and may be renewed by the licensing authority upon the filing of an application for renewal thereof provided by the licensing authority and the payment of the fee established for ~~such~~ THE renewal. No license granted under this ~~article~~ PART 5 or any renewal thereof ~~shall be~~ IS transferable. The fees required to be paid for a new or renewal license shall be deposited in the ~~bingo-raffle~~ DEPARTMENT OF STATE cash fund CREATED IN SECTION 24-21-104 (3)(b).

24-21-508. [Formerly 12-9-104.5] Landlord licensees - stipulations. (1) ~~No~~ A person ~~except~~ OTHER THAN a landlord licensee shall NOT rent or offer to rent to any bingo-raffle licensee any premises to be used to conduct games of chance. A lease of the premises for a bingo occasion ~~shall~~ MUST be for a period of at least five consecutive hours unless the landlord licensee and bingo-raffle licensee agree to a shorter or longer period. The amount of rent to be charged, and the method used to calculate such rent, shall be established by agreement between the parties.

(2) No landlord licensee or any employee of a landlord licensee shall require, induce, or coerce a bingo-raffle licensee to enter into any contract, agreement, or lease contrary to ~~the provisions of~~ this ~~article~~ PART 5.

(3) No landlord licensee or any employee of a landlord licensee shall require, induce, or coerce a bingo-raffle licensee to purchase supplies or equipment, or to purchase or lease electronic devices used as aids in the game of bingo, from a particular supplier, distributor, or manufacturer as a condition of conducting games of chance at a commercial bingo facility.

(4) Rent charged to a bingo-raffle licensee by a landlord licensee for the use of a commercial bingo facility shall cover all expenses and items reasonably necessary for the use of the commercial bingo facility for a bingo occasion including, but not limited to, insurance and maintenance for such facility, adequate and secure storage space, restrooms, janitorial services, and utilities.

(5) No activity or business other than licensed games of chance may be conducted in a commercial bingo facility within space leased to a bingo-raffle licensee during the time allocated to the bingo-raffle licensee with the exception of the sale of food, beverages, bingo-related merchandise and supplies, the operation of an automated cash service device, and such other activities and businesses as the bingo-raffle licensee may agree to. A landlord licensee may conduct other businesses and activities in space not included in the bingo-raffle licensee's rental agreement and in which games of chance are not held.

(6) ~~No~~ A landlord licensee or any employee or agent of a landlord licensee shall NOT be a party responsible for or assisting with the conduct, management, or operation of any game of chance within Colorado; except that a landlord licensee that is also a bingo-raffle licensee may conduct such activities as its bingo-raffle license allows exclusively on its own behalf.

(7) Notwithstanding subsection (6) of this section, a landlord, supplier, or manufacturer licensee may instruct and train a bingo-raffle licensee in the repair, operation, and maintenance of bingo-raffle equipment, subject to specific criteria established by rule.

(8) Every landlord licensee shall file with the licensing authority all leases, agreements, and other documents required in order for a bingo-raffle licensee to lease its commercial bingo facility.

24-21-509. [Formerly 12-9-105] Application for bingo-raffle license. (1) Each applicant for a bingo-raffle license to be issued under ~~the provisions of~~ this section shall file with the licensing authority a written application in the form prescribed by the licensing authority, duly executed and verified, and in which shall be stated:

(a) The name and address of the applicant;

(b) Sufficient facts relating to its incorporation and organization to enable the licensing authority to determine whether or not it is a bona

fide chartered branch, lodge, or chapter of a national or state organization or a bona fide religious, charitable, labor, fraternal, educational, voluntary firefighters', or veterans' organization that operates without profit to its members, has been in existence continuously for a period of five years immediately prior to the making of said application for such license, and has had during the entire five-year period dues-paying members engaged in carrying out the objectives of said applicant;

(c) The names and addresses of its officers;

(d) The specific kind of games of chance intended to be held, operated, and conducted by the applicant;

(e) (I) The place where such games of chance are intended to be held, operated, and conducted by the applicant under the license applied for; or

(II) In the case of the application of an exempt organization, the place or places where drawings are intended to be held, operated, and conducted by the organization under the license applied for;

(f) A statement that no commission, salary, compensation, reward, or recompense will be paid to any person for holding, operating, or conducting such games of chance or for assisting therein except as otherwise provided in this ~~article~~ PART 5;

(g) Such other information deemed advisable by the licensing authority to ~~insure~~ ENSURE that the applicant falls within the restrictions set forth by the state constitution.

(2) (a) In each application there shall be designated active members of the applicant organization under whom the games of chance described in the application are to be held, operated, and conducted, and to the application shall be appended a statement executed by the applicant and by the members so designated that they will be responsible for the holding, operation, and conduct of such games of chance in accordance with the terms of the license and ~~the provisions of~~ this ~~article~~ PART 5.

(b) Each designated games manager ~~shall~~ MUST have been an active member of the applicant for at least the six months immediately preceding his or her designation and shall be certified by the licensing authority pursuant to section ~~12-9-105.1~~ 24-21-510 before assuming games management duties.

(3) In the event any premises are to be leased or rented in connection with the holding, operating, or conducting of any game of chance under this ~~article~~ PART 5, a written statement shall accompany the application signed and verified by the applicant, which ~~shall~~ MUST state the address of the leased or rented premises and the amount of rent that will be paid for said premises and which ~~shall~~ MUST certify that the premises are to be rented from a landlord licensee.

24-21-510. [Formerly 12-9-105.1] Games managers - certification. (1) The licensing authority shall issue a games manager certification to any qualified applicant who has demonstrated sufficient knowledge of this ~~article~~ PART 5, as determined by the licensing authority, and who has paid the fee established in accordance with section ~~12-9-103.5 (3)~~ 24-21-506 (2). A games manager certification shall be valid for a time period to be determined by the licensing authority by rule, and may be denied, suspended, or revoked for any violation of this ~~article~~ PART 5 or any rule or order of the licensing authority promulgated or issued pursuant to this ~~article~~ PART 5.

~~(1.5)~~ (2) A person ~~shall~~ IS not ~~be~~ eligible for certification or TO act as a games manager in the conduct of a game of chance pursuant to this ~~article~~ PART 5 unless the person is eighteen years of age or older.

~~(2)~~ (3) A person ~~shall~~ IS not ~~be~~ eligible for certification or TO act as a games manager in the conduct of any game of chance pursuant to this ~~article~~ PART 5 if ~~such~~ THE person has been convicted of any MISDEMEANOR INVOLVING GAMBLING OR ANY felony. ~~or any offense involving gambling.~~

~~(3)~~ (4) Unless authorized by the licensing authority in accordance with the rules of the licensing authority, a person shall not be designated or serve as a games manager for more than three bingo-raffle licensees simultaneously. The licensing authority may promulgate rules establishing the circumstances under which a person may be designated and serve as games manager for more than three bingo-raffle licensees.

24-21-511. [Formerly 12-9-105.3] Application for landlord license - fee. (1) Each applicant for a landlord license shall file with the

licensing authority a written application, duly executed and verified, in the form presented by the licensing authority, which application shall include, but not be limited to, the following information:

(a) The name and address of the landlord and, if such commercial landlord is a corporation, partnership, association, or other business entity, the names and addresses of all partners, associates, and persons holding an ownership interest of ten percent or more;

(b) The name and address of the landlord's resident agent if the commercial landlord does not reside in Colorado and the location in Colorado where its records will be available to the licensing authority;

(c) The location of the premises for which the applicant is seeking such license;

(d) A statement by the landlord or the chief executive officer of the landlord that the landlord is familiar with the provisions of this ~~article~~ PART 5 as to commercial bingo facilities and landlords thereof and accepts responsibility for compliance with such provisions;

~~(e) Repealed.~~

~~(f)~~ (e) A statement by the landlord or the chief executive of the landlord that the primary purpose of the premises described in ~~paragraph (c) of this subsection (1)~~ SUBSECTION (1)(c) OF THIS SECTION is the conduct of bingo occasions.

(2) Each application shall designate an individual who shall act as agent for the landlord and who shall receive all communications concerning the license.

(3) ~~There shall be attached to~~ Each application MUST INCLUDE an affidavit signed by the applicant stating ~~that~~ WHETHER the landlord has ~~not~~ been convicted of any felony, THEFT BY DECEPTION, or ~~any~~ gambling-related offense as defined in article 10 of title 18 ~~C.R.S.~~ WITHIN THE PREVIOUS TEN YEARS. If the landlord is a corporation, limited liability company, or partnership, ~~such~~ THE affidavit ~~shall~~ MUST make ~~such~~ THE verification as to each officer and director of ~~such~~ THE corporation, each member and manager of ~~such~~ THE limited liability company, or each partner and associate of ~~such~~ THE partnership. A PERSON THAT HAS BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE FOR A LICENSE ISSUED PURSUANT TO THIS SECTION. A PERSON THAT HAS BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN MORE THAN THE PREVIOUS TEN YEARS SHALL DISCLOSE THE INFORMATION RELATED TO THE CONVICTION REQUIRED BY THE LICENSING AUTHORITY.

(4) A landlord license ~~shall expire~~ EXPIRES at the end of the calendar year in which it was issued. Each license issued shall be conspicuously displayed at the premises for which the license has been issued. No landlord license is transferable. The annual fee for each landlord license shall be established in accordance with section ~~12-9-103.5 (3)~~ 24-21-506 (2).

24-21-512. [Formerly 12-9-105.5] Application for manufacturer license. (1) Each application for a manufacturer license ~~shall~~ MUST include, but not be limited to, the following information:

(a) The name and address of the applicant;

(b) The name and address of the manufacturer and, if the manufacturer is a corporation, the name and address of each officer, director, and shareholder holding an ownership interest of ten percent or more;

(c) A description of the equipment manufactured in connection with games of chance activities in Colorado;

(d) The name and address of the resident agent of the manufacturer if the applicant does not reside in Colorado and the location in Colorado where the records of the manufacturer will be available to the licensing authority;

(e) The names and addresses of the Colorado suppliers and agents of the manufacturer; and

(f) A statement by the manufacturer or the chief executive officer of the manufacturer that such manufacturer is familiar with the provisions of this ~~article~~ PART 5 as to bingo-raffle manufacturers and accepts responsibility for compliance with such provisions.

(2) ~~To~~ Each application for a manufacturer license ~~shall be~~

~~attached~~ MUST INCLUDE a statement ~~that~~ REGARDING WHETHER the applicant; ~~or~~ its owners; ~~or~~ its officers or directors if a corporation; or its members, managers, partners, or associates if another business entity, has ~~not~~ been convicted of any felony, THEFT BY DECEPTION, or ~~any~~ GAMBLING-RELATED offense ~~involving gambling~~ as defined in article 10 of title 18. ~~C.R.S.~~ A PERSON THAT HAS BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE FOR A LICENSE ISSUED PURSUANT TO THIS SECTION. A PERSON THAT HAS BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN MORE THAN THE PREVIOUS TEN YEARS SHALL DISCLOSE THE INFORMATION RELATED TO THE CONVICTION REQUIRED BY THE LICENSING AUTHORITY.

(3) Any bingo-raffle manufacturer, ~~as defined in section 12-9-102 (1.3),~~ upon filing a true, complete, written, verified application in the form presented by the licensing authority, together with the fee for the license, is eligible for a manufacturer license. A manufacturer license shall be renewed annually, on or before March 31 of each year in which such licensee engages in or anticipates engaging in a licensed activity. A manufacturer license is nontransferable. The annual fee for each license shall be established in accordance with section ~~12-9-103.5 (3)~~ 24-21-506 (2).

24-21-513. [Formerly 12-9-105.7] Application for supplier license. (1) Each application for a supplier license ~~shall~~ MUST include, but not be limited to, the following information:

(a) The name and address of the applicant;

(b) The name and address of the supplier and, if the supplier is a corporation, the name and address of each officer, director, and shareholder holding an ownership interest of ten percent or more;

(c) A description of the equipment and supplies sold or distributed in connection with games of chance activities in Colorado;

(d) The name and address of the resident agent of the supplier if the applicant does not reside in Colorado and the location in Colorado where the records of the supplier will be available to the licensing authority;

(e) The names and addresses of the Colorado MANUFACTURERS AND COLORADO agents of the supplier; and

(f) A statement by the supplier or the chief executive officer of the supplier that such supplier is familiar with the provisions of this ~~article~~ PART 5 as to bingo-raffle suppliers and accepts responsibility for compliance with such provisions.

(2) ~~To~~ Each application for a supplier license ~~shall be attached~~ MUST INCLUDE a statement ~~that~~ REGARDING WHETHER the applicant; ~~or~~ its owners; ~~or~~ its officers or directors if a corporation; or its members, managers, partners, or associates if another business entity, has ~~not~~ been convicted of any felony, THEFT BY DECEPTION, or ~~any~~ offense involving gambling as defined in article 10 of title 18. ~~C.R.S.~~ A PERSON THAT HAS BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE FOR A LICENSE ISSUED PURSUANT TO THIS SECTION. A PERSON THAT HAS BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN MORE THAN THE PREVIOUS TEN YEARS SHALL DISCLOSE THE INFORMATION RELATED TO THE CONVICTION REQUIRED BY THE LICENSING AUTHORITY.

(3) Any bingo-raffle supplier, ~~as defined in section 12-9-102 (1.4),~~ upon filing a true, complete, written, verified application in the form presented by the licensing authority, together with the fee for the license, is eligible for a supplier license. A supplier license shall be renewed annually, on or before March 31 of each year in which such licensee engages in or anticipates engaging in a licensed activity. A supplier license is nontransferable. The annual fee for each license shall be established in accordance with section ~~12-9-103.5 (3)~~ 24-21-506 (2).

24-21-514. [Formerly 12-9-105.9] Application for manufacturer's agent license or supplier's agent license. (1) Each application for a manufacturer's agent license or supplier's agent license ~~shall~~ MUST include, but not be limited to, the following information:

(a) The name and address of the applicant;

(b) The name and address of the supplier or manufacturer represented by the applicant;

(c) A statement by the applicant that he or she has read, understands, and will comply with ~~the provisions of~~ this ~~article~~ PART 5 as to manufacturer's and supplier's agents and the conditions of the agent's license;

(d) A statement by the chief executive officer of the manufacturer or supplier represented by the agent, which statement acknowledges consent to representation by the applicant; and

(e) The location in Colorado where the agent's records of sales and distributions of bingo and raffle equipment and supplies will be available to the licensing authority.

(2) ~~To~~ Each agent's application ~~shall be attached~~ MUST INCLUDE a statement ~~that~~ REGARDING WHETHER the applicant has ~~not~~ been convicted of any felony, THEFT BY DECEPTION, or ~~any~~ offense involving gambling as defined in article 10 of title 18. ~~C.R.S.~~ A PERSON THAT HAS BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN THE PREVIOUS TEN YEARS IS INELIGIBLE FOR A LICENSE ISSUED PURSUANT TO THIS SECTION. A PERSON THAT HAS BEEN CONVICTED OF ANY FELONY, THEFT BY DECEPTION, OR GAMBLING-RELATED OFFENSE AS DEFINED IN ARTICLE 10 OF TITLE 18 WITHIN MORE THAN THE PREVIOUS TEN YEARS SHALL DISCLOSE THE INFORMATION RELATED TO THE CONVICTION REQUIRED BY THE LICENSING AUTHORITY.

(3) Any supplier's agent or manufacturer's agent, ~~as defined in section 12-9-102 (13.3) and (20.3),~~ upon filing a complete, written, verified application in the form presented by the licensing authority, together with the fee for the license, is eligible for a manufacturer's or supplier's agent license. A manufacturer's or supplier's agent license shall be renewed annually, on or before March 31 of each year in which such licensee engages in or anticipates engaging in a licensed activity. Neither a manufacturer's agent license nor a supplier's agent license is transferable. The annual fee for each license shall be established in accordance with section ~~12-9-103.5 (3)~~ 24-21-506 (2).

24-21-515. [Formerly 12-9-106] Persons permitted to conduct games of chance - form of bingo-raffle licenses - display. (1) A person, firm, or organization within this state shall not conduct a game of chance without a bingo-raffle license issued by the licensing authority. Only an active member of the organization to which the bingo-raffle license is issued may hold, operate, or conduct games of chance under a license issued under this ~~article~~ PART 5, and a person shall not assist in the holding, operating, or conducting of any games of chance under a bingo-raffle license except an active member or a member of an organization or association that is an auxiliary to the licensee, a member of an organization or association of which the licensee is an auxiliary, or a member of an organization or association that is affiliated with the licensee by being, with it, auxiliary to another organization or association. A licensee shall incur or pay only bona fide expenses in a reasonable amount for goods, wares, and merchandise furnished or services rendered that are reasonably necessary for the holding, operating, or conducting of a game of chance.

(2) Each bingo-raffle license must contain a statement of the name and address of the licensee and the place where bingo or lotto games or the drawing of the raffles is to be held. If the bingo-raffle licensee moves from the games or drawing location listed on its license, the bingo-raffle licensee must notify the licensing authority in writing prior to commencing bingo or conducting a raffle drawing at the new location. The licensing authority may issue a letter of authorization to move the location of the bingo or lotto games or the drawing of the raffles. The letter of authorization must remain with the original license and must be available for inspection at the place where games or drawings are to be held. A license issued for an exempt organization must include the place or places where drawings are to be held. EXCEPT AS SPECIFIED IN SUBSECTION (4) OF THIS SECTION, each bingo-raffle license issued for the conduct of any games of chance must be conspicuously displayed at the place where the game is to be conducted or the drawings held at all times during the conduct thereof. An exempt organization may comply with this section by providing written notice of a license to all employees of a participating private business or

government agency holding a fund-raising drive that includes a drawing on behalf of the organization. The notice must state that the license is available for public inspection during reasonable business hours and must specify where the license is maintained for inspection.

(3) A licensee shall conspicuously display, at the place where a game is being conducted, its license issued for the conduct of games of chance at all times during the conduct of the game and for at least thirty minutes after the last game has been concluded.

(4) Notwithstanding subsection (2) of this section, a bingo-raffle licensee conducting a pull tab game for the benefit of its members and guests on premises that are owned by it, or leased by it for purposes other than the conduct of a bingo occasion, may display a copy of its license, in a format approved by the licensing authority, on the premises during any time the licensee is also conducting a bingo or raffle occasion at a separate location.

24-21-516. [Formerly 12-9-106.5] Form of landlord license - display - fee. (1) Each landlord license ~~shall~~ MUST contain a statement of the name and address of the licensee and the location of the premises. Each license issued shall be conspicuously displayed at the premises for which the license has been issued.

(2) A landlord license shall be issued to qualified applicants by the licensing authority upon payment of a fee and completion and approval of the landlord license application pursuant to section ~~12-9-105.3. Such~~ 24-21-511. THE license ~~shall expire~~ EXPIRES at the end of the calendar year in which it was issued by the licensing authority and may be renewed upon the filing and approval of an application for renewal provided by the licensing authority and the payment of a fee. No landlord license is transferable. The fees required to be paid for new and renewed licenses shall be established in accordance with section ~~12-9-103.5 (3)~~ 24-21-506 (2).

24-21-517. [Formerly 12-9-107] General conduct games of chance - premises - equipment - expenses - rules. (1) A licensee shall not hold, operate, or conduct a game of bingo or lotto more often than as specified by the licensing authority by rule, after consultation with the board.

(2) A person or licensee shall not permit any person under eighteen years of age to purchase the opportunity to participate in any game of chance or purchase pull tab games.

(3) A person or licensee shall not permit any person under fourteen years of age to assist in the conduct of bingo or pull tabs.

(4) A licensee shall not offer or give an alcoholic beverage as a prize in a game of chance.

(5) The licensing authority shall establish by rule the method of play and amount of prizes that may be awarded; except that the maximum prize that may be awarded must be at least five hundred dollars.

(6) Food offered in the course of a volunteer duty shift and consumed on the premises where the game of chance is being conducted is not remuneration if the retail value of the food offered does not exceed the maximum amount per volunteer set by rule.

(7) (a) The officers of a bingo-raffle licensee shall designate one or more bona fide, active members of the licensee as its games managers to be in charge of and primarily responsible for the conduct of the games of bingo or lotto on each occasion. The games managers shall supervise all activities on the occasion for which they are in charge and are responsible for making all required reports. The games managers, governing board of the licensee, and the individual acting in the role of a treasurer on behalf of the licensee must be familiar with all applicable provisions of state law, the rules of the licensing authority, and the license. The governing board of the licensee is ultimately responsible for the maintenance of books and records and the filing of the reports pursuant to this section. At least one games manager shall be present on the premises continuously during the games and for a period sufficient to ensure that all books and records for the occasion have been closed and that all supplies and equipment have been secured.

(b) An exempt organization may designate more than one of its bona fide, active members in order to comply with this subsection (7).

(8) The officers of a bingo-raffle licensee shall designate an officer to be in full charge of and primarily responsible for the proper utilization of the entire net proceeds of any game in accordance with the

state law.

(9) The premises where any game of chance is being held, operated, or conducted, or is intended to be held, operated, or conducted, or where it is intended that any equipment be used, must be kept open to inspection at all times by the licensing authority, its agents and employees, and peace officers of any political subdivision of the state.

(10) (a) In conducting a bingo or pull tab game, a bingo-raffle licensee may operate equipment if the bingo-raffle licensee:

(I) Leases the equipment from a manufacturer licensee or supplier licensee on premises that are owned, leased, or rented by the licensee, used as the licensee's principal place of business, and controlled so that admittance to the premises is limited to the licensee's members and bona fide guests;

(II) Owns the equipment; or

(III) Leases equipment that is owned or leased by a landlord licensee.

(b) Nothing in this subsection (10) prohibits a bingo-raffle licensee from leasing electronic devices used as aids in the game of bingo.

(11) A licensee shall not possess, use, sell, offer for sale, or put into play any bingo or pull tab game, ticket, card, or sheet unless it conforms to the definitions and requirements of this ~~article~~ PART 5 and was purchased by the licensee from a licensed bingo-raffle manufacturer or supplier or licensed agent thereof. A licensee shall not possess, use, sell, offer for sale, or put into play any electronic device used as an aid in the game of bingo unless it conforms to the requirements of this ~~article~~ PART 5 and was purchased or leased by the licensee from a licensed bingo-raffle manufacturer or supplier or licensed agent thereof.

(12) In order to possess, use, sell, offer for sale, or put into play any bingo or pull tab game, ticket, card, or sheet, a licensee must have at the location of the game an invoice from its licensed supplier showing at least the name, description, color code, if any, and serial number of the pull tab, card, or sheet.

(13) The licensing authority shall establish, by rule, safeguards to protect the bingo-raffle licensee's players against defaults in charitable gaming debts owed or to become payable by the bingo-raffle licensee.

(14) The net proceeds derived from the holding of games of chance must be devoted, within one year, to the lawful purposes of the organization permitted to conduct the game of chance. Any organization desiring to hold the net proceeds of games of chance for a period longer than one year must apply to the licensing authority for special permission and, upon good cause shown, the licensing authority may grant the request.

(15) The licensing authority may require a licensee that does not report, during any one-year licensing period, positive net proceeds to show cause before the licensing authority why its right to conduct games of chance should not be suspended or revoked. The licensing authority may establish by rule the conditions for suspending, revoking, or refusing to renew a license to conduct charitable gaming for failure to report positive net proceeds.

24-21-518. [Formerly 12-9-107.1] Conduct of bingo games. (1) In the playing of bingo, only persons who are physically present on the premises where the game is actually conducted may participate as players in the game.

(2) (a) A person shall not act as a caller or assistant to the caller in the conduct of any game of bingo unless the person has been a member in good standing of the bingo-raffle licensee conducting the game or one of its licensed auxiliaries for at least three months immediately prior to the date of the game, is of good moral character, and never has been convicted of a MISDEMEANOR INVOLVING GAMBLING OR ANY felony. ~~or a crime involving gambling.~~

(b) An owner, co-owner, or lessee of premises or, if a corporation is the owner of the premises, any officer, director, or stockholder owning more than ten percent of the outstanding stock must not be a person responsible for or assisting in the holding, operating, or conducting of any game of bingo.

(3) (a) The equipment used in the playing of bingo and the method of play must be such that each card has an equal opportunity to win. The objects or balls to be drawn must be essentially the same as to

size, shape, weight, balance, and all other characteristics that may influence their selection. All objects or balls must be present in the receptacle before each game begins. All numbers announced must be plainly and clearly audible to all the players present. Where more than one room is used for any one game, the receptacle and the caller must be present in the room where the greatest number of players are present, and all numbers announced must be plainly audible to the players in the aforesaid room and also audible to the players in the other rooms.

(b) The receptacle and the caller must be visible to all the players at all times except where more than one room is used for any one game, in which case ~~paragraph (a) of this subsection (3)~~ SUBSECTION (3)(a) OF THIS SECTION applies.

(c) The particular arrangement of numbers required to be covered in order to win the game and the amount of the prize must be clearly and audibly described and announced to the players immediately before each game begins.

(d) An operator shall not reserve or allow to be reserved any bingo cards for use by players except braille cards or other cards for use by legally blind players. A person who is legally blind may use his or her personal braille cards when a licensed organization does not provide such cards. A licensed organization may inspect and reject any personal braille card. A person who is legally blind or an individual with a disability may use a braille card or hard card in place of a purchased disposable paper bingo card.

(e) Any player may call for a verification of all numbers drawn at the time a winner is determined and for a verification of the objects or balls remaining in the receptacle and not yet drawn. The verification shall be made in the immediate presence of the member designated to be in charge of the occasion, but if that member is also the caller, then in the immediate presence of any officer of the licensee.

(4) When any merchandise prize is awarded in a game of bingo, its value is its current retail price. A merchandise prize is not redeemable or convertible into cash directly or indirectly.

(5) (a) Notwithstanding the limitations stated in section ~~12-9-107~~ 24-21-517 (5), during a bingo occasion a bingo-raffle licensee may also start a single game of progressive bingo, in an amount established by rule by the licensing authority, in which the game is won when a previously designated arrangement of numbers or spaces on the card or sheet is covered within a previously designated number of objects or balls drawn. If the game is not won within the drawing of the previously designated number of objects or balls, the game must be replayed either during each subsequent occasion the licensee conducts at the same location or during each subsequent occasion that falls on the same day of the week at the same location, using the previously designated arrangement of numbers or spaces.

(b) A bingo-raffle licensee may award a consolation prize for a game of progressive bingo. The bingo-raffle licensee determines the amount of the consolation prize. Notice of the amount must be conspicuously displayed before the beginning of the bingo-raffle occasion, and the amount is included as part of the aggregate amount of all prizes offered or given in games played on a single occasion, as set forth in ~~paragraph (a) of this subsection (5)~~ SUBSECTION (5)(a) OF THIS SECTION. If a consolation prize is offered and the progressive prize is not won, the game continues until the previously designated arrangement of numbers or spaces on the card or sheet is covered, regardless of the number of balls drawn, in order to determine the winner of the consolation prize. If a consolation prize is not offered, the progressive game ends when the last of the previously designated number of balls is drawn and must be replayed in accordance with ~~paragraph (a) of this subsection (5)~~ SUBSECTION (5)(a) OF THIS SECTION. If a consolation prize is offered and the progressive prize is won, the licensee may opt to award the consolation prize during that occasion. If the consolation prize is awarded, the licensee must include the total amount of the consolation prize in the total amount of any subsequent games offered in the session, not to exceed the maximum allowed for the occasion.

(c) A bingo-raffle licensee may fund a secondary jackpot from ten percent of the gross proceeds collected from the sale of progressive cards or sheets at the occasion where the game is offered. Notwithstanding the limitation stated in ~~paragraph (a) of this subsection (5)~~ SUBSECTION (5)(a)

OF THIS SECTION, the amount in the secondary jackpot may be used to start a single game of progressive bingo after a previous progressive jackpot is won.

(d) The licensing authority may establish by rule the maximum jackpot that may be awarded in a progressive bingo game; except that the maximum jackpot must be at least fifteen thousand dollars.

(e) The licensing authority may establish by rule the maximum number of progressive bingo games, not less than one, that may be conducted during an occasion. In order to ensure that all prizes offered are timely awarded, the licensing authority may limit by rule the number of occasions in which a progressive bingo game may be conducted before a prize must be awarded; except that the maximum number of occasions must be at least thirty.

(6) (a) Equipment, prizes, and supplies for games of bingo must not be purchased or sold at prices in excess of the usual price thereof. A licensee shall not sell or offer for sale any game of chance, or supplies for a game of chance, that is not authorized by this ~~article~~ PART 5 or by rules adopted by the licensing authority pursuant to this ~~article~~ PART 5.

(b) Cards and sheets that are designed or intended for use with electronic devices used as aids in the game of bingo shall not be purchased or sold at prices in excess of the usual price of cards and sheets that are not designed or intended for use with electronic devices used as aids in the game of bingo. Charges imposed by any manufacturer, supplier, agent thereof, or bingo-raffle licensee for cards and sheets that are designed or intended for use with electronic devices used as aids in the game of bingo shall be stated and imposed separately from any charges imposed by the manufacturer, supplier, agent thereof, or bingo-raffle licensee for the purchase, lease, or use of electronic devices used as aids in the game of bingo. Manufacturers, suppliers, and their agents shall not include costs attributable to the manufacture or distribution of electronic devices used as aids in the game of bingo in charges imposed for the purchase or lease of equipment, including cards and sheets.

(7) (a) If a card or sheet is played with the aid of an electronic device, a winning bingo may be determined and verified either by reference to the card or sheet or by reference to the electronic device. Nothing in this ~~article~~ PART 5 authorizes the playing of bingo solely by means of an electronic device.

(b) A bingo-raffle licensee shall adequately mark, destroy, or dispose of cards or sheets played with the aid of an electronic device in order to prevent the reuse of those cards or sheets.

(c) The licensing authority may establish by rule the maximum number of bingo cards that a bingo player who plays using the aid of an electronic device is permitted to use with the aid of such a device per game; except that the maximum number must be at least ~~thirty-six~~ FORTY-TWO.

(d) A bingo-raffle licensee is not required to use or offer the use of electronic devices used as aids in the game of bingo during a bingo session.

(8) (a) With the application for a letter ruling pursuant to section ~~12-9-103~~ 24-21-505 (1)(d) for the approval of a new type of electronic device used in the aid of bingo, the manufacturer of the device must provide the following to the licensing authority:

(I) A prototype of the new type of electronic device used in the aid of bingo with a prototype bingo aid computer system and a user's manual used for such electronic device; and

(II) A certification by the manufacturer that the new type of electronic device used in the aid of bingo and all such electronic devices used in the state meet the following standards:

(A) The electronic device provides a means for the input of numbers announced by a bingo caller;

(B) The electronic device compares the numbers entered to the numbers contained on bingo cards previously stored in the electronic database of the electronic device;

(C) The electronic device identifies winning bingo patterns; and

(D) The electronic device signals when a winning bingo pattern is achieved.

(b) The licensing authority shall return the prototype electronic device used in the aid of bingo, the prototype bingo aid computer system,

and the user's manual submitted pursuant to ~~subparagraph (I) of paragraph (a) of this subsection (8)~~ SUBSECTION (8)(a)(I) OF THIS SECTION no later than forty-five days after receiving the items.

(c) When a complaint regarding an electronic device used in the aid of bingo that is in use in the state of Colorado has been filed with the licensing authority, the manufacturer of the device shall provide to the licensing authority a sample of the device and bingo aid computer system to assist the investigation by the licensing authority. The licensing authority shall return the electronic device and bingo aid computer system no later than forty-five days after receiving them unless they are needed longer to complete the investigation.

(d) Any electronic device used in the aid of bingo, bingo aid computer system, or user's manual for such a device that is in the custody of the licensing authority pursuant to this section is not a public record.

(9) A bingo aid computer system used by a bingo-raffle licensee for bingo sessions must meet the following standards:

(a) The system must contain a record of all transactions occurring during a bingo-raffle session. The record must be retained in memory until the transactions have been totaled, printed, and cleared by the bingo-raffle licensee, regardless of whether the power supply has been interrupted.

(b) The system must be able to compute and total all transactions processed by the system during a bingo-raffle session and to print all information required by the licensing authority, in the form prescribed by the licensing authority.

(c) The system must maintain and control the time, date of sale, and transaction number, keeping the information secure enough that only a manufacturer's qualified personnel can change or reset the information. The manufacturer's qualified personnel shall retain a detailed record for each service call that involves a change of the time, date of sale, or transaction number.

(10) If an electronic device used as an aid in the game of bingo complies with ~~sub-subparagraphs (A) to (D) of subparagraph (II) of paragraph (a) of subsection (8)~~ SUBSECTIONS (8)(a)(II)(A) TO (8)(a)(II)(D) of this section, and if the bingo aid computer system for the electronic device substantially complies with the requirements of subsection (9) of this section, the licensing authority shall approve the electronic device and computer system for use by a letter ruling pursuant to section ~~12-9-103~~ 24-21-505 (1)(d).

24-21-519. [Formerly 12-9-107.2] Conduct of pull tabs - license revocation - rules - definitions. (1) A licensee shall not sell, offer for sale, or put into play any pull tab ticket except at the location of and during its licensed bingo occasions or upon premises that are:

(a) Owned, leased, or rented by the bingo-raffle licensee, used as its principal place of business, and controlled so that admittance to the premises is limited to the bingo-raffle licensee's members and bona fide guests; or

(b) Owned, leased, or rented by a landlord licensee.

(2) A bingo-raffle licensee may offer a prize to the purchaser of a last sale ticket in a pull tab game, deal, or series without regard to its winning or nonwinning status as revealed if broken or torn apart.

(3) A bingo-raffle licensee may offer an event pull tab series. For the purposes of this subsection (3):

(a) "Event pull tab series" means a pull tab series that includes a predetermined number of pull tabs that allow a player to advance to an event round.

(b) "Event round" means a secondary element of chance where the prizes are determined based on pull tabs that match specific winning numbers drawn in a bingo game and the winning numbers shall fall within numbers one to seventy-five, inclusive.

(4) (a) A bingo-raffle licensee may offer a progressive pull tab game in which a prize may be carried over and increased from one deal to another until a prize is awarded. The game may include a subsequent pull tab deal bearing a different serial number from that offered in a previous deal. A licensee shall not offer or give a prize greater, in amount or value, than five thousand dollars in any progressive pull tab game. The licensing authority may limit by rule the types of progressive pull tab games allowed to be sold by supplier licensees.

(b) When a deal of progressive pull tabs is received in two or

more packages, boxes, or other containers, all of the progressive pull tabs from the respective packages, boxes, or other containers must be placed out for play at the same time.

(5) (a) A licensee shall not possess, use, sell, offer for sale, or put into play any computerized or electromechanical facsimile of a pull tab game.

(b) A licensee shall not possess, use, sell, offer for sale, or put into play any device that reveals the winning or nonwinning status of a pull tab ticket unless the device has been tested, approved, and licensed pursuant to subsection (6) of this section and not subsequently altered or tampered with.

(c) Any of the following persons that are found to have violated ~~paragraph (b) of this subsection (5)~~ SUBSECTION (5)(a) OF THIS SECTION are subject to immediate and permanent revocation of all licenses issued under this ~~article~~ PART 5:

(I) The manufacturer of the device;

(II) The supplier through which the device was supplied;

(III) The landlord licensee on whose premises the device was found; and

(IV) The bingo-raffle licensee of the occasion during which the device was present.

(6) (a) The licensing authority shall test, inspect, and license every mechanical, electronic, or electromechanical device that reveals the winning or nonwinning status of a pull tab ticket before the device is used in charitable gaming. The licensing authority shall employ an independent contractor to conduct the tests and inspections, the cost of which shall be borne by the manufacturer or supplier seeking approval of the device. The licensing authority shall not issue a license for a device until the device is secured in a manner prescribed by the licensing authority and the contractor receives payment in full for the cost of all tests and inspections.

(b) Every person shipping or importing into Colorado a device subject to ~~paragraph (a) of this subsection (6)~~ SUBSECTION (6)(a) OF THIS SECTION shall provide the licensing authority with a copy of the shipping invoice at the time of shipment. The invoice must contain, at a minimum, the destination of the shipment and the serial number and description of each device being transported.

(c) Every person receiving a device subject to ~~paragraph (a) of this subsection (6)~~ SUBSECTION (6)(a) OF THIS SECTION shall, upon receipt of the device, provide the licensing authority with the serial number and description of each device received and information describing the location of each device. The requirements of this ~~paragraph (c)~~ SUBSECTION (6)(c) apply regardless of whether the device is received from a licensed supplier or from any other source.

(d) A device licensed pursuant to this subsection (6) is licensed for and may only be used in one specific licensed location identified by the licensing authority. Any movement of the device from the licensed location for use at another licensed location shall be reported to AND MUST BE APPROVED BY the licensing authority in advance.

(e) The licensing authority may adopt rules and prescribe all necessary forms in furtherance of this subsection (6).

(f) Notwithstanding any other provision of this ~~article~~ PART 5, the licensing authority shall not license:

(I) A pull tab game that is stored, electronically or otherwise, within a device and designed to be played on such device; or

(II) Any device that qualifies as a slot machine pursuant to section 9 (4)(c) of article XVIII of the Colorado constitution.

(g) The prohibition contained in ~~paragraph (f) of this subsection (6)~~ SUBSECTION (6)(f) OF THIS SECTION does not prohibit the licensing of:

(I) A device that merely dispenses pull tab tickets to players; or

(II) A device that merely reads or validates a pull tab ticket inserted by a player, if:

(A) The pull tab ticket itself displays its winning or nonwinning status so that use of the device is not required to determine such status; and

(B) The device cannot be used in a manner that would qualify it as a slot machine pursuant to section 9 (4)(c) of article XVIII of the Colorado constitution.

24-21-520. [Formerly 12-9-107.3] Conduct of raffles - rules.

(1) The licensing authority shall not require an exempt organization to use raffle tickets in any particular form or displaying any particular information that would cause undue expense to the exempt organization and therefore interfere with the charitable fund-raising drive of the organization.

(2) (a) A bingo-raffle licensee may offer a progressive raffle in which a jackpot may be carried over and increased from one drawing to another until the jackpot is awarded. If the jackpot is not awarded at a drawing, the bingo-raffle licensee shall conduct a new drawing at the same location at a time and date determined by the bingo-raffle licensee.

(b) A bingo-raffle licensee may award a consolation prize for a progressive raffle. ~~in which the jackpot is not won.~~ The bingo-raffle licensee may designate the consolation prize as either a specified amount or a specified percentage of the gross proceeds collected from the sale of raffle tickets for a particular drawing. The bingo-raffle licensee may determine the amount of the jackpot based on the gross proceeds collected from the sale of raffle tickets for a particular drawing plus the value of the jackpot carried over from previous drawings in which the jackpot was not awarded. IF A CONSOLATION PRIZE IS OFFERED AND THE PROGRESSIVE PRIZE IS WON, THE LICENSEE MAY OPT TO AWARD THE CONSOLATION PRIZE FOR THAT PARTICULAR DRAWING.

(c) If the bingo-raffle licensee offers a consolation prize, the bingo-raffle licensee shall, before the drawing:

(I) Designate the specific amount or specific percentage of the gross proceeds collected from the sale of raffle tickets that the consolation prize equals; and

(II) Conspicuously display the amount or percentage of the gross proceeds collected that the consolation prize equals.

(d) The licensing authority may establish by rule the maximum jackpot that a bingo-raffle licensee may award for a progressive raffle; except that, notwithstanding section ~~12-9-107~~ 24-21-517 (5), the maximum jackpot must be at least fifteen thousand dollars. The maximum jackpot does not include the aggregate amount of consolation prizes awarded.

(e) The licensing authority may establish by rule the maximum number of progressive raffles that a bingo-raffle licensee may conduct simultaneously. To ensure that all prizes offered are timely awarded, the licensing authority may limit by rule the number of drawings that a bingo-raffle licensee may conduct before a jackpot must be awarded; except that the maximum number of drawings must be at least thirty.

(f) (I) The licensing authority may establish by rule the permitted methods of conducting a progressive raffle.

(II) The licensing authority may not prohibit those methods of conducting a progressive raffle in which the participant whose ticket number is drawn wins both a prize for the winning ticket number and a chance to win the jackpot.

24-21-521. [Formerly 12-9-107.5] Persons permitted to manufacture and distribute games of chance equipment - reporting requirements. (1) ~~No~~ A person other than a manufacturer licensee or licensed agent shall NOT act as a bingo-raffle manufacturer within Colorado. The manufacture of electronic devices used as aids in the game of bingo, and the printing of raffle tickets other than pull tabs, as designed and requested by a licensee, does not constitute the manufacture of games of chance equipment; except that such electronic devices ~~shall be~~ ARE subject to the reporting requirements of subsections ~~(5) and (6)~~ (4) AND (5) of this section, and the fees established by the licensing authority in accordance with section ~~12-9-103.5 (3)~~ 24-21-506 (2) and subsection ~~(5)~~ (4) of this section.

~~(2) (Deleted by amendment, L. 99, p. 1425, § 1, effective June 5, 1999.)~~

~~(3)~~ (2) ~~No~~ AN individual shall NOT act for or represent a landlord, manufacturer, or supplier licensee with respect to an activity covered by such license unless such individual is the licensee's owner, officer, director, partner, member, or ten percent or more shareholder of record with the licensing authority, or is the manufacturer's or supplier's licensed agent. ~~No~~ A manufacturer or supplier licensee shall NOT allow any person not authorized by this subsection ~~(3)~~ (2) to represent it or serve as its agent with regard to any Colorado transaction.

~~(4)~~ (3) Except to the extent otherwise provided in section

~~12-9-106~~ 24-21-515 (1), a manufacturer or supplier licensee or licensed agent shall not buy, receive, sell, lease, furnish, or distribute any pull tabs, bingo cards or sheets, electronic devices used as aids in the game of bingo, or other games of chance equipment from or to any person within Colorado other than manufacturer or supplier licensees or agents and bingo-raffle licensees; except that:

(a) A landlord licensee, supplier, or manufacturer or its agent may sell, DONATE, or distribute cards, sheets, equipment, or electronic devices used as aids in the game of bingo for the playing of bingo not for resale to nursing homes and other entities that distribute the cards, sheets, or electronic devices and allow playing of the game free of charge, without consideration given or received by any person for the privilege of playing; and

(b) A bingo-raffle licensee may sell OR DONATE its used equipment to another bingo-raffle licensee.

~~(5)~~ (4) Every manufacturer and supplier licensee shall file, upon forms prescribed by the licensing authority, quarterly reports on its licensed activities within Colorado. ~~Such~~ THE reports ~~shall~~ MUST be accompanied by quarterly fees established by the licensing authority in accordance with section ~~12-9-103.5 (3)~~ 24-21-506 (2) and deposited in the ~~bingo-raffle~~ DEPARTMENT OF STATE cash fund ~~Such~~ CREATED IN SECTION 24-21-104 (3)(b). THE reports shall be filed with the licensing authority no later than April 30, July 31, October 31, and January 31 of each year licensed, and each report ~~shall~~ MUST cover the preceding calendar quarter. Reports ~~shall~~ MUST enumerate by quantity, purchaser or lessee, and price the pull tabs, bingo cards or sheets, electronic devices used as aids in the game of bingo, and other games of chance equipment manufactured, conveyed, or distributed within Colorado or for use or distribution in Colorado and ~~shall~~ MUST include the licensee's total sales, including amounts realized from leases, of equipment ~~as defined in section 12-9-102 (5)~~ and electronic devices used as aids in the game of bingo and the names and addresses of all Colorado suppliers or agents of the licensee and shall be signed and verified by the owner or the chief executive officer of the licensee. These quarterly reports ~~shall~~ ARE not ~~be~~ public records as defined in section 24-72-202. ~~C.R.S.~~

~~(6)~~ (5) Every manufacturer or supplier licensee, and every licensed agent for such licensee, shall keep and maintain complete and accurate records, in accord with generally accepted accounting principles, of all licensed activities. The records shall include invoices for all games of chance equipment or electronic devices used as aids in the game of bingo conveyed or distributed within Colorado, or for use or distribution in Colorado, which invoices are specific as to the nature, description, quantity, and serial numbers of the pull tabs, bingo cards or sheets, electronic devices used as aids in the game of bingo, and other equipment so conveyed or distributed. The records shall also show all receipts and expenditures made in connection with licensed activities, including, but not limited to, records of sales by dates, purchasers, and items sold or leased, monthly bank account reconciliations, disbursement records, and credit memos for any returned items. These records shall be maintained for a period of at least three years.

~~(7)~~ (6) ~~No~~ A manufacturer or supplier licensee or licensed agent ~~shall~~ MUST NOT be a person responsible for or assisting in the conduct, management, or operation of any game of chance within Colorado.

24-21-522. [Formerly 12-9-108] Bingo-raffle licensee's statement of receipts - expenses - fee - definitions. (1) (a) On or before April 30, July 31, October 31, and January 31 of each year, every bingo-raffle licensee shall file with the licensing authority upon forms prescribed by the licensing authority a duly verified statement covering the preceding calendar quarter showing the amount of the gross receipts derived during said periods from games of chance, the expenses incurred or paid, and a brief description of the classification of such expenses, the net proceeds derived from games of chance, and the uses to which such net proceeds have been or are to be applied. ~~It is the duty of~~ Each licensee ~~to~~ SHALL maintain and keep such books and records as may be necessary to substantiate the particulars of each such report.

(b) Exempt organizations ~~shall~~ ARE not ~~be~~ subject to the requirements of this subsection (1), except to the extent that they shall file with the licensing authority statements showing the amount of the gross proceeds from their fund-raising drives and identifying all

organizations receiving portions of such proceeds and the amounts received by each such organization.

(2) (a) If a bingo-raffle licensee fails to file reports within the time required or if reports are not properly verified or not fully, accurately, and truthfully completed, any existing license may be suspended until such time as the default has been corrected.

(b) Exempt organizations ~~shall be~~ ARE subject to the requirements of this subsection (2) only to the extent that such requirements apply to ~~paragraph (b) of subsection (1)~~ SUBSECTION (1)(b) of this section.

(3) (a) All ~~moneys~~ MONEY collected or received from the sale of admission, extra regular cards, special game cards, sale of supplies, and all other receipts from the games of bingo, raffles, and pull tab games shall be deposited in a special checking or savings account, or both, of the licensee, which must contain only ~~these moneys~~ THIS MONEY. If the licensee conducts progressive games of chance, the licensee may maintain one additional checking or savings account, which must contain only money received from the sale of progressive games. The licensee may withdraw money from these accounts only by consecutively numbered checks or withdrawal slips or by electronic transactions referenced by transaction number or date. A check or withdrawal slip must not be drawn to "cash" or a fictitious payee. The licensee shall maintain all of its books and records in accordance with generally accepted accounting principles.

(b) Exempt organizations ~~shall~~ ARE not ~~be~~ subject to ~~the requirements of~~ this subsection (3).

(4) No part of the net proceeds, after they have been given over to another organization, shall be used by the donee organization to pay any person for services rendered or materials purchased in connection with the conducting of bingo by the donor organization.

(5) No item of expense shall be incurred or paid in connection with holding, operating, or conducting a game of chance pursuant to a bingo-raffle license except bona fide expenses of a reasonable amount. Such expenses include those incurred in connection with all games of chance, for the following purposes:

(a) Advertising and marketing;

(b) Legal fees related to any action brought by the licensing authority against the bingo-raffle licensee in connection with games of chance;

(c) The purchase of goods, wares, and merchandise furnished to the licensee for the purpose of operating games of chance pursuant to this ~~article~~ PART 5;

(d) The purchase or lease of electronic devices used as aids in the game of bingo;

(e) Payment for services rendered that are reasonably necessary for repairs of equipment and operating or conducting games of chance;

(f) Rent, if the premises are rented, or for janitorial services if not rented;

(g) Accountant's fees; and

(h) License fees.

(6) (a) For the purposes enumerated in subsection (5) of this section, the following terms ~~shall~~ have the following meanings:

(I) "Goods, wares, and merchandise" means prizes, equipment, ~~as defined in section 12-9-102 (5),~~ and articles of a minor nature.

(II) "Services rendered" means:

(A) The repair of equipment;

(B) Compensation to bookkeepers or accountants for services in preparing financial reports for a reasonable amount as determined by the licensing authority by rule. ~~No~~ A landlord, manufacturer, or supplier licensee, or employee of a landlord, manufacturer, or supplier licensee, shall NOT act as a bookkeeper or accountant for a bingo-raffle licensee, nor shall a landlord, manufacturer, or supplier licensee offer or provide accounting or bookkeeping services in connection with the preparation of financial reports on bingo-raffle activities, except for the transfer or encoding of data necessitated by the sale, upgrade, or maintenance of accounting software sold or leased to a bingo-raffle licensee by a landlord, manufacturer, or supplier licensee. A landlord licensee that is also a bingo-raffle licensee may act as a bookkeeper or accountant on such licensee's own behalf.

(C) The rental of premises;

(D) A reasonable amount for janitorial service as determined by the licensing authority in rules for each occasion; and

(E) A reasonable amount for security expense based on established need as determined by the licensing authority in rules for each occasion.

(b) There shall be paid to the licensing authority an administrative fee, established in accordance with section ~~12-9-103.5 (3)~~ 24-21-506 (2), upon the gross receipts of any game of chance held, operated, or conducted under ~~the provisions of~~ this ~~article~~ PART 5; except that an exempt organization shall not be charged more than twenty dollars per year. All administrative fees collected by the licensing authority under this ~~article~~ PART 5 shall be deposited in the department of state cash fund created in section 24-21-104 (3)(b). ~~C.R.S.~~

(7) Each licensee, at the time each financial report is submitted to the licensing authority, shall pay to the order of the licensing authority the amount of administration expense provided in subsection (6) of this section.

24-21-523. [Formerly 12-9-109] Examination of books and records - rules. The licensing authority and its agents have power to examine or cause to be examined the books and records of any licensee to which any license is issued pursuant to this ~~article~~ PART 5 insofar as they may relate to any transactions connected with activities under the license. The licensing authority may require by rule that licensees that have failed to keep proper books and records, or to maintain their books and records in accordance with generally accepted accounting principles, adopt certain internal financial controls and attend training to ensure the integrity of the reporting of games of chance activities pursuant to this ~~article~~ PART 5.

24-21-524. [Formerly 12-9-110] Forfeiture of license - ineligibility to apply for license. ~~Any~~ A person who makes ~~any~~ A false statement in ~~any~~ AN application for ~~any such~~ A license or in any statement annexed thereto, fails to keep sufficient books and records to substantiate the quarterly reports required under section ~~12-9-108~~ 24-21-522, falsifies any books or records insofar as they relate to any transaction connected with the holding, operating, and conducting of ~~any~~ A game of chance under ~~any such~~ THE license, or violates ~~any of the provisions of~~ this ~~article~~ PART 5 or ~~of~~ any term of ~~such~~ THE license, if convicted, in addition to suffering any other penalties that may be imposed, shall forfeit any license issued to it under this ~~article~~ PART 5 and ~~shall be~~ IS ineligible to apply for a license under this ~~article~~ PART 5 for ~~at least~~ NO MORE THAN one year thereafter.

24-21-525. [Formerly 12-9-111] Volunteer services - legislative declaration - immunity. (1) The Colorado constitution recognizes that the conduct of charitable gaming activities is directly related to the need of nonprofit organizations to fulfill their lawful purposes. Notwithstanding this recognition, however, the willingness of bingo-raffle volunteers to offer their services has been increasingly deterred by a perception that they put personal assets at risk should a tort action be filed seeking damages arising from their volunteer activities.

(2) All bingo-raffle volunteers ~~shall be~~ ARE immune from civil actions and liabilities pursuant to section 13-21-115.5, ~~C.R.S.~~, which provides that volunteers ~~shall~~ ARE not ~~be~~ personally liable for their acts or omissions if they are acting in good faith and within the scope of their official function and duty for a charitable organization, with respect to such organization's conduct of games of chance. Bingo-raffle volunteers ~~shall~~ ARE not ~~be~~ liable under this section if the harm is not caused by willful and wanton misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed.

24-21-526. [Formerly 12-9-112] Unfair trade practices. (1) The provisions of the "Unfair Practices Act", article 2 of title 6, ~~C.R.S.~~, and the "Colorado Antitrust Act of 1992", article 4 of title 6, ~~C.R.S.~~, are specifically applicable to charitable gaming activities conducted by any licensee. Within thirty days after receiving a complaint alleging a violation of either of said acts, the licensing authority shall transmit such complaint to the attorney general.

(2) THE LICENSING AUTHORITY SHALL REVOKE THE LICENSE OF a licensee that violates any provision of article 2 of title 6 ~~C.R.S.~~, or article 4 of title 6 ~~C.R.S., shall have its license revoked by the licensing~~

~~authority~~ for a period of one year ~~from~~ AFTER the date of the finding of ~~such~~ THE violation. Upon the expiration of such period, the licensee may apply for the issuance of a new license.

24-21-527. [Formerly 12-9-112.5] Common members - bingo-raffle licensees - definition. (1) For the purposes of this section, "bingo-raffle licensee affiliate" means the following:

(a) ~~Any~~ A person that directly or indirectly through one or more intermediaries controls, is controlled by, or is under common control with, a bingo-raffle licensee specified; or

(b) ~~Any~~ A person that has an officer, director, member, manager, partner, games manager, salaried employee, or IMMEDIATE FAMILY member ~~of their immediate families~~ in common with a bingo-raffle licensee.

(2) Proceeds from a bingo or raffle game that are transferred from a bingo-raffle licensee to a bingo-raffle licensee's affiliate shall not be used to pay the salary, remuneration, or expenses of any officer, director, member, manager, partner, games manager, or employee of such affiliate. THE DONEE ENTITY OR ORGANIZATION SHALL DEPOSIT all such transferred proceeds ~~shall be deposited by the donee entity or organization~~ in a segregated account that contains only such donations, and ~~such~~ THE transferred proceeds shall not be commingled with other funds of the donee entity or organization. The licensing authority and its agents may examine or cause to be examined the books and records of any donee entity or organization insofar as they may relate to account or to any transactions connected with bingo or raffle proceeds.

24-21-528. [Formerly 12-9-113] Enforcement. It is the duty of all sheriffs and police officers to enforce ~~the provisions of~~ this ~~article~~ PART 5, to receive complaints, to initiate investigations, and to arrest and complain against any person violating ~~any provisions of~~ this ~~article~~ PART 5. It is the duty of the district attorney of the respective districts of this state to prosecute all violations of this ~~article~~ PART 5 in the manner and form as is now provided by law for the prosecutions of crimes and misdemeanors, and it is a violation of this ~~article~~ PART 5 for any such person knowingly to fail to perform his OR HER duty under this section.

24-21-529. [Formerly 12-9-114] Penalties for violation. Every licensee and every officer, agent, or employee of the licensee and every other person or corporation who willfully violates or who procures, aids, or abets in the willful violation of this ~~article~~ PART 5 commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501; ~~C.R.S.~~; except that, if the underlying factual basis of the violation constitutes a crime as defined by any other provision of law, then ~~such~~ THE person may be charged, prosecuted, and punished in accordance with such other provision of law.

24-21-530. [Formerly 12-9-201] Colorado bingo-raffle advisory board - creation. (1) There is hereby created, within the department of state, the Colorado bingo-raffle advisory board.

(2) The board ~~shall consist~~ CONSISTS of nine members, all of whom ~~shall~~ MUST be citizens of the United States who have been residents of the state for at least the past five years. ~~No~~ A member ~~shall~~ MUST NOT have been convicted of a felony or gambling-related offense, notwithstanding ~~the provisions of~~ section 24-5-101. ~~C.R.S.~~ No more than five of the nine members ~~shall~~ MAY be members of the same political party. At the first meeting of each fiscal year, A MAJORITY OF THE MEMBERS MUST CHOOSE a chair and vice-chair of the board ~~shall be chosen~~ from the membership. ~~by a majority of the members.~~ Membership and operation of the board ~~shall~~ MUST additionally meet the following requirements:

(a) (I) Three members of the board ~~shall~~ MUST be bona fide members of a bingo-raffle licensee that is classified as a religious organization, a charitable organization, a labor organization, an educational organization, or a voluntary firefighter's organization; except that no more than one member shall be appointed from any one such classification;

(II) One member of the board ~~shall~~ MUST be a bona fide member of a bingo-raffle licensee that is a veterans' organization;

(III) One member of the board ~~shall~~ MUST be a bona fide member of a bingo-raffle licensee that is a fraternal organization;

(IV) One member of the board ~~shall~~ MUST be a supplier licensee;

(V) Two members of the board ~~shall~~ MUST be landlord licensees;

and

(VI) One member of the board ~~shall~~ MUST be a registered elector of the state who is not employed by or an officer or director of a licensee, does not have a financial interest in any license, and does not have an active part in the conduct or management of games of chance by any bingo-raffle licensee.

(b) (I) Of the five members of the board who are categorized as bona fide members of a bingo-raffle licensee, two shall be appointed by the president of the senate, two shall be appointed by the speaker of the house of representatives, and one shall be appointed jointly by the president and the speaker.

(II) Of the two members of the board who are categorized as landlord licensees, one shall be appointed by the president of the senate and one shall be appointed by the speaker of the house of representatives.

(III) The president of the senate shall appoint the member of the board who is a supplier licensee. The speaker of the house shall appoint the member of the board who is a registered elector.

(c) ~~Initial members shall be appointed to the board as follows: Two members to serve until July 1, 2000, two members to serve until July 1, 2001, two members to serve until July 1, 2002, and three members to serve until July 1, 2003.~~ All ~~subsequent~~ appointments ~~shall be~~ ARE for terms of four years. No member of the board ~~shall be~~ IS eligible to serve more than two consecutive terms.

(d) Any vacancy on the board shall be filled for the unexpired term in the same manner as the original appointment. The member appointed to fill such vacancy shall be from the same category described in ~~paragraph (a) of this subsection (2)~~ SUBSECTION (2)(a) OF THIS SECTION as the member vacating the position.

(e) ~~Any~~ A member of the board having a direct personal or private interest in any matter before the board shall disclose such fact on the board's record. A member may disqualify himself or herself for any cause deemed by him or her to be sufficient.

(f) The APPOINTING OFFICER SHALL TERMINATE THE term of any member of the board who misses more than two consecutive regular board meetings without good cause, or who no longer meets the requirements for membership imposed by this section. ~~shall be terminated by the appointing officer. Such~~ THE member's successor shall be appointed in the manner provided for appointments under this section.

(g) Board members ~~shall~~ ARE ENTITLED TO receive as compensation for their services fifty dollars for each day spent in the conduct of board business, not to exceed five hundred dollars per member per year, and ~~shall~~ ARE ENTITLED TO be reimbursed for necessary travel and other reasonable expenses incurred in the performance of their official duties.

(h) Prior to commencing his or her term of service, each person nominated to serve on the board shall file with the secretary of state a financial disclosure statement in the form required and prescribed by the ~~secretary of state~~ LICENSING AUTHORITY and as commonly used for other Colorado boards and commissions. Such statement shall be renewed as of each January 1 during the member's term of office.

(i) The board shall hold at least ~~six~~ TWO meetings each year and such additional meetings as the members may deem necessary. In addition, special meetings may be called by the chair, any three board members, or the ~~secretary of state~~ LICENSING AUTHORITY if written notification of ~~such~~ THE meeting is delivered to each member at least seventy-two hours ~~prior to such~~ BEFORE THE meeting. Notwithstanding ~~the provisions of~~ section 24-6-402, ~~C.R.S.,~~ in emergency situations in which a majority of the board certifies that exigencies of time require that the board meet without delay, the requirements of public notice and of seventy-two hours' actual advance written notice to members may be dispensed with, and board members as well as the public shall receive such notice as is reasonable under the circumstances.

(j) A majority of the board ~~shall constitute~~ CONSTITUTES a quorum, and the concurrence of a majority of the members present ~~shall be~~ IS required for any final determination by the board.

(k) The board shall keep a complete and accurate record of all its meetings.

24-21-531. [Formerly 12-9-202] Board - duties. (1) In addition to any other duties set forth in this part ~~2~~ 5, the board shall: ~~have the~~

~~following duties:~~

(a) ~~To~~ Conduct a continuous study of charitable gaming throughout the state for the purpose of ascertaining any defects in this ~~article~~ PART 5 or in the rules promulgated pursuant to this ~~article~~ PART 5; AND

(b) ~~To~~ Formulate and recommend changes to this ~~article~~ PART 5 to the general assembly.

~~(c) Repealed.~~

(2) The board shall offer advice to the licensing authority upon subjects ~~which shall~~ THAT include, but are not limited to, the following:

(a) The types of charitable gaming activities to be conducted, the rules for those activities, and the number of occasions per year upon which a licensee may hold, operate, or conduct a game of bingo or lotto;

(b) The requirements, qualifications, and grounds for the issuance of all types of permanent and temporary licenses required for the conduct of charitable gaming;

(c) The requirements, qualifications, and grounds for the revocation, suspension, and summary suspension of all licenses required for the conduct of charitable gaming;

(d) Activities that constitute fraud, cheating, or illegal activities;

(e) The granting of licenses with special conditions or for limited periods, or both;

(f) The establishment of a schedule of reasonable fines to be assessed in lieu of license revocation or suspension for violations of this ~~article~~ PART 5 or any rule adopted pursuant to this ~~article~~ PART 5;

(g) The amount of fees for licenses issued by the licensing authority and for the performance of administrative services pursuant to this ~~article~~ PART 5;

(h) The establishment of criteria under which a person may serve as a games manager;

(i) The content and conduct of classes or training seminars to benefit bingo-raffle charitable licensees, officers, and volunteers to better account for funds collected from games of chance;

(j) Standardized rules, procedures, and policies to clarify and simplify the auditing of licensees' records;

(k) The types of charitable gaming activities to be conducted in the future, based upon a continuing review of the available state of the art of equipment in Colorado and elsewhere, and the policies and procedures approved and implemented by other states for the conduct of their charitable gaming activities; and

(l) The conditions for a licensee's plan for disposal of any equipment and the distribution of any remaining net proceeds upon termination of a bingo-raffle license for the licensee's failure to timely or sufficiently renew such license.

24-21-532. [Formerly 12-9-301] Repeal - review of functions. This ~~article~~ PART 5 is repealed, effective ~~July 1, 2017. Prior to such~~ SEPTEMBER 1, 2026. BEFORE THE repeal, the licensing functions of the ~~secretary of state~~ LICENSING AUTHORITY and the functions of the Colorado bingo-raffle advisory board in the department of state ~~shall be reviewed as provided for in~~ ARE SCHEDULED FOR REVIEW IN ACCORDANCE WITH section 24-34-104. ~~C.R.S.~~

SECTION 3. Repeal of relocated provisions in this act. In Colorado Revised Statutes, **repeal** article 9 of title 12.

SECTION 4. In Colorado Revised Statutes, 12-47-901, **amend** (5) introductory portion and (5)(n)(I) as follows:

12-47-901. Unlawful acts - exceptions - definitions. (5) It is unlawful for any person licensed to sell at retail pursuant to this ~~article~~ ARTICLE 47 or article 46 of this ~~title~~ TITLE 12:

(n) (I) To authorize or permit any gambling, or the use of any gambling machine or device, except as provided by the "Bingo and Raffles Law", ~~article 9 of this title. The provisions of this paragraph (n) shall~~ PART 5 OF ARTICLE 21 OF TITLE 24. THIS SUBSECTION (5)(n) DOES not apply to those activities, equipment, and devices authorized and legally operated pursuant to articles 47.1 and 60 of this ~~title~~ TITLE 12.

SECTION 5. In Colorado Revised Statutes, **amend** 24-35-217 as follows:

24-35-217. Other laws inapplicable. Any other state or local law in conflict with this part 2 ~~shall be~~ IS inapplicable, but this section ~~shall~~ DOES not ~~be construed to~~ supersede or affect ~~the provisions of article 9~~

~~of title 12, C.R.S.~~ PART 5 OF ARTICLE 21 OF THIS TITLE 24.

SECTION 6. Applicability. This act applies to conduct occurring on or after the effective date of this act.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-239** 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 **SB17-237** 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 **SB17-244** 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 **SB17-132** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 7, line 6, after "**required.**" insert "(1)".

Page 7, after line 9 insert:

"(2) ON OR AFTER THE EFFECTIVE DATE OF RULES ADOPTED BY THE SECRETARY OF STATE PURSUANT TO SECTION 24-21-514.5, AN INDIVIDUAL MAY MAKE A PERSONAL APPEARANCE THROUGH THE USE OF AUDIO-VIDEO COMMUNICATION TECHNOLOGY IN COMPLIANCE WITH THE REQUIREMENTS OF THOSE RULES.".

Page 7, line 27, strike "OR".

Page 8, line 6, strike "ACT." and substitute "ACT; OR

(c) WHEN AN INDIVIDUAL APPEARS BY USE OF AUDIO-VIDEO COMMUNICATION TECHNOLOGY, IN ACCORDANCE WITH SUCH OTHER MEANS AS SPECIFIED IN RULES ADOPTED BY THE SECRETARY OF STATE PURSUANT TO SECTION 24-21-514.5.".

Page 13, after line 1 insert:

"**24-21-514.5. Audio-video communication - rules.** (1) NO LATER THAN OCTOBER 1, 2018, THE SECRETARY OF STATE SHALL ADOPT RULES REGARDING THE PERFORMANCE OF A NOTARIAL ACT WITH RESPECT TO AN INDIVIDUAL WHO APPEARS BEFORE A COLORADO NOTARIAL OFFICER PHYSICALLY PRESENT IN COLORADO, BY MEANS OF AUDIO-VIDEO COMMUNICATION. THE RULES MUST:

(a) PRESCRIBE THE TECHNOLOGICAL MEANS OF PERFORMING A NOTARIAL ACT INVOLVING AUDIO-VIDEO COMMUNICATION, INCLUDING VALIDATION OF THE PRINCIPAL'S IDENTITY WHEN THE TECHNOLOGY IS USED TO PERFORM THE NOTARIAL ACT;

(b) ESTABLISH STANDARDS FOR TECHNOLOGY AND FOR APPROVAL PRIOR TO A COLORADO NOTARIAL OFFICER'S USE OF SUCH TECHNOLOGY;

(c) ESTABLISH STANDARDS FOR THE RETENTION OF THE RECORD OF A NOTARIAL ACT PERFORMED BY AUDIO-VIDEO COMMUNICATION;

(d) SPECIFY THE FORM AND CONTENT OF THE NOTARIAL CERTIFICATE IN CONNECTION WITH A NOTARIAL ACT PERFORMED BY AUDIO-VIDEO COMMUNICATION;

(e) DESCRIBE ANY LIMITATIONS ON THE CIRCUMSTANCES IN WHICH NOTARIAL ACTS MAY BE PERFORMED BY AUDIO-VIDEO COMMUNICATION; AND

(f) INCLUDE SUCH OTHER ITEMS AS ARE APPROPRIATE AND CONSISTENT WITH THIS PART 5 IN ORDER TO ENSURE THE SECURITY AND

INTEGRITY OF NOTARIAL ACTS INVOLVING AUDIO-VIDEO COMMUNICATION.".

Page 20, strike lines 12 to 17 and substitute:

"(10) (a) INSTEAD OF RETAINING A JOURNAL AS PROVIDED IN SUBSECTIONS (1) AND (9) OF THIS SECTION, A CURRENT OR FORMER NOTARY PUBLIC MAY:

(I) TRANSMIT THE JOURNAL TO THE STATE ARCHIVES ESTABLISHED PURSUANT TO PART 1 OF ARTICLE 80 OF THIS TITLE 24; OR

(II) LEAVE THE JOURNAL WITH THE NOTARY'S FIRM OR EMPLOYER IN THE REGULAR COURSE OF BUSINESS.

(b) IF NOTARY PUBLIC ACTS PURSUANT TO SUBSECTION (10)(a) OF THIS SECTION, THE NOTARY PUBLIC IS NO LONGER SUBJECT TO SUBSECTION (5) OF THIS SECTION AND SHALL NOTIFY THE SECRETARY OF STATE IN WRITING WHETHER THE NOTARY HAS TRANSMITTED THE JOURNAL TO THE STATE ARCHIVES OR THE FIRM OR EMPLOYER, INCLUDING THE CONTACT INFORMATION FOR THE FIRM OR EMPLOYER IF THE NOTARY LEAVES THE JOURNAL WITH THE NOTARY'S FIRM OR EMPLOYER.".

Page 31, after line 13 insert:

"(3) ON OR AFTER THE EFFECTIVE DATE OF RULES ADOPTED BY THE SECRETARY OF STATE PURSUANT TO SECTION 24-21-514.5, IN LIEU OF THE FEE AUTHORIZED IN SUBSECTIONS (1) AND (2) OF THIS SECTION, A NOTARY PUBLIC MAY CHARGE A FEE, NOT TO EXCEED TWENTY-FIVE DOLLARS, FOR A COLORADO NOTARIAL ACT PERFORMED BY MEANS OF AUDIO-VIDEO COMMUNICATION WITH A COLORADO NOTARY PUBLIC PHYSICALLY PRESENT IN THE STATE OF COLORADO.".

Page 34, line 2, strike "2022." and substitute "2023.".

Page 34, line 6, strike "(23)(a)(VIII)" and substitute "(24)(a)(IV)".

Page 34, line 13, strike "(23)" and substitute "(24)".

Page 34, line 14, strike "2022:" and substitute "2023:".

Page 34, line 15, strike "(VIII)" and substitute "(IV)".

Page 36, after line 9 insert:

"**SECTION 8. Working group.** (1) The secretary of state shall convene a working group to advise the secretary concerning rule-making and an implementation process to allow for a Colorado notary public physically present in this state to perform a notarial act by means of communication technology. The working group shall meet no less than four times, at a time and location as determined by the secretary, before November 1, 2017. The working group, under the direction of the secretary, shall identify issues of interest to stakeholders and shall submit recommendations to the secretary and the general assembly.

(2) The working group shall analyze, make recommendations, and provide information to the secretary of state for use by the secretary in the adoption of specific rules prior to implementation of Colorado notarial acts performed by a notary public physically present in Colorado by means of audio-video communication. The working group may consider any issues of interest, including:

(a) Evaluation and identification of potential conflicts with existing statutes and standards, jurisdictional issues, and any other provisions it deems pertinent to ensure the validity of these notarial acts;

(b) Technology assurance standards;

(c) Requirements governing the real-time interaction between the notary public and the principal, for recording of the session, and for use of technology to render the document tamper-evident after the notarial act is completed;

(d) Additional identity validation standards and best practices beyond such provisions currently in statute;

(e) Data security and retention laws and standards, including best practices industry standards and certifications, for the protection of

information from identify theft, privacy, and security of documents;

(f) Forms of certificates for these notarial acts; and

(g) The interaction between notarization by electronic means and Colorado's existing enactment of article 71.3 of title 24, the "Uniform Electronic Transactions Act", including considerations regarding the optionality and validity of transactions notarized by electronic means.

(3) The working group shall consider and make such recommendations to the secretary of state as it deems appropriate regarding legislative, regulatory, or administrative considerations, provisions, or changes.

(4) The working group shall consider such information and resources as it deems appropriate, including existing and pending legislation, uniform laws, model acts, existing standards, and such other materials as it deems pertinent.

(5) The secretary of state shall appoint the following to the working group:

(a) A member from the secretary of state's office;

(b) A member from the division in the secretary of state's office that administers the secretary's notary public program responsibilities;

(c) A member representing Colorado financial institutions;

(d) A member representing Colorado independent banks;

(e) A member representing Colorado county clerks and recorders;

(f) A member representing Colorado real estate interests;

(g) Two members representing Colorado title companies;

(h) Two members representing Colorado notaries public;

(i) One member representing a national company with knowledge of emerging technologies for performing notarial acts by means of audio-video communication;

(j) One member representing a Colorado health care interest;

(k) One member representing Colorado technology and innovation interests;

(l) Two attorney members of the Colorado state bar; and

(m) One member representing Colorado business interests other than those represented in subsections (5)(a) to (5)(l) of this section.

(6) The working group shall report its recommendations to the secretary of state and the general assembly no later than December 1, 2017.".

Renumber succeeding section accordingly.

Page 36, strike line 11 and substitute "**applicability.** (1) Sections 8 and 9 of this act take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017) and the remainder of this act takes effect July 1, 2018; except that, if a".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB17-1115** 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 5, strike lines 9 through 11 and substitute:

"(b) DIRECT PRIMARY CARE PROVIDERS ARE SUBJECT TO SECTION 25.5-4-301.".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-214** 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 3, line 13, strike "29-5-403 (7)" and substitute "29-5-403 (12)".

Page 8, line 17, strike "EXCLUDING HEALTH INSURANCE,".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-240** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 27, line 19, strike "**repeal** (3);".

Page 28, strike lines 14 through 23.

Page 30, after line 18 insert:

"(III) THIS SUBSECTION (6) DOES NOT APPLY TO A PERSON SELLING NEW MOTOR VEHICLES AND HOLDING AN OWNERSHIP INTEREST IN A LICENSED CORPORATION, LIMITED LIABILITY COMPANY, LIMITED LIABILITY PARTNERSHIP, OR OTHER BUSINESS ENTITY.".

Page 44, line 11, strike "**repeal** (3);".

Page 45, strike lines 5 through 14.

Page 47, after line 9 insert:

"(III) THIS SUBSECTION (6) DOES NOT APPLY TO A PERSON SELLING NEW POWERSPORTS VEHICLES AND HOLDING AN OWNERSHIP INTEREST IN A LICENSED CORPORATION, LIMITED LIABILITY COMPANY, LIMITED LIABILITY PARTNERSHIP, OR OTHER BUSINESS ENTITY.".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-251** 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, after the second period add "THE DEPARTMENT SHALL DEPOSIT THE FEE IN THE SPECIAL PURPOSE ACCOUNT CREATED IN SECTION 42-1-211.".

Page 2, after line 21 insert:

"**SECTION 2.** In Colorado Revised Statutes, 42-3-105, **amend** (1)(c)(I) introductory portion and (1)(c)(I)(H) as follows:

42-3-105. Application for registration - tax. (1) (c) (I) The department may require those vehicle-related entities specified by rule to verify information concerning any vehicle through the physical inspection of ~~such~~ THE vehicle. The information required to be verified by ~~such~~ a physical inspection ~~shall~~ MUST include:

(H) The odometer reading of such vehicle; EXCEPT THAT THE DEPARTMENT NEED NOT REQUIRE AN ODOMETER READING FOR ABANDONED VEHICLES BEING TITLED IN ACCORDANCE WITH SECTION 42-4-1810 OR 42-4-2109; and

SECTION 3. In Colorado Revised Statutes, 42-6-107, **amend** (1)(b) as follows:

42-6-107. Certificates of title - contents - rules. (1) (b) (I) The department may require those vehicle-related entities specified by regulation to verify information concerning a vehicle through the physical inspection of ~~such~~ THE vehicle. The information required to be verified by ~~such~~ a physical inspection ~~shall~~ MUST include:

(A) The vehicle identification number or numbers;

(B) The make of vehicle;

(C) The vehicle model, the type of vehicle;

(D) The year of manufacture of such vehicle;

(E) The type of fuel used by such vehicle;

(F) The odometer reading of such vehicle; EXCEPT THAT THE DEPARTMENT NEED NOT REQUIRE AN ODOMETER READING FOR AN ABANDONED VEHICLE BEING TITLED IN ACCORDANCE WITH SECTION 42-4-1810 OR 42-4-2109; and

(G) Such other information as may be required by the department.

(II) For the purposes of this ~~paragraph (b)~~ SUBSECTION (1)(b), "vehicle-related entity" means an authorized agent or designated employee of such agent, a Colorado law enforcement officer, a licensed Colorado dealer, a licensed inspection and readjustment station, or a

licensed diesel inspection station.".

Renumber succeeding section accordingly.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-247** 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 12 to 23 and substitute:

"**SECTION 3. Act subject to petition - effective date - applicability.** (1) This act takes effect January 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to licenses renewed or reinstated on or after the applicable effective date of this act.".

Appropriations — After consideration on the merits, the Committee recommends that **SB17-254** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB17-255** 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 **SB17-256** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB17-257** 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 **SB17-258** 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 **SB17-259** 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 **SB17-260** 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 **SB17-261** 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 **SB17-262** 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 **SB17-263** 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 **SB17-264** 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 **SB17-265** 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 **SB17-266** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SM17-001; HB17-1059, 1101, 1111, 1149.

Upon request of Majority Leader Holbert, **SB17-263** was removed from the General Orders--Second Reading of Bills Consent Calendar of Thursday, March 30, 2017, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Thursday, March 30, 2017.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, March 29, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

78th Legislative Day Wednesday, March 29, 2017

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community: A Mennonite Congregation, Littleton.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--33
Excused--2, Kagan, Martinez Humenik.
Present later--2, Kagan, Martinez Humenik.

Quorum — The President announced a quorum present.

Pledge — By Senator Coram.

Reading of the Journal — On motion of Senator Williams, reading of the Journal of Tuesday, March 28, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SJM17-002.
Correctly Engrossed: SB17-209, 218, 231, 234, 242, 245, 246, and 252; SJR17-026.
Correctly Reengrossed: SB17-215, 217, 219, 220, and 221.
Correctly Revised: HB17-1049, 1104, 1126, 1173, 1174, 1193, 1220.
Correctly Rerevised: HB17-1021, 1081, 1083, 1125, 1144, 1145, 1179, 1183, 1196, and 1197.
Correctly Enrolled: SJR17-025; SM17-001.

MESSAGE FROM THE HOUSE

March 28, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1072, amended as printed in House Journal, March 27, 2017.
HB17-1224, amended as printed in House Journal, March 27, 2017.

The House has passed on Third Reading and returns herewith SB17-097.

The Senate proceeded out of order for moments of personal privilege.

MESSAGE FROM THE REVISOR OF STATUTES

March 28, 2017

We herewith transmit:

Without comment, as amended, HB17-1072 and 1224.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order to consider memorials.

CONSIDERATION OF MEMORIALS

SJM17-002 by Senator(s) Moreno and Martinez Humenik; also Representative(s) Benavidez and Michaelson Jenet--Memorializing former Representative and Senator Robert "Bob" Martinez.

On request of Senator Moreno, the memorial was read at length.

On motion of Senator Moreno, and with a majority of those elected to the Senate having voted in the affirmative, the Senate stood in Recess pursuant to Senate Rule 31 (g) to allow former Senators to address the members of the Senate regarding the memorial.

Senate in recess. Senate reconvened.

On motion of Senator Moreno, the memorial was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Merrifield, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB17-231 by Senator(s) Moreno, Kerr, Martinez Humenik, Tate; also Representative(s) Thurlow, Arndt, Hooton, Nordberg--Concerning the scheduled repeal of reports by the department of transportation to the general assembly.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

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:

HB17-1104 by Representative(s) Navarro, Lundeen, Carver, Liston, Nordberg, Williams D.; also Senator(s) Priola, Gardner, Hill--Concerning the exclusion from state taxable income of the monetary value of any medal won by and certain sport-specific prize money awarded to an athlete while competing for the United States of America at the olympic games, so long as the athlete's federal adjusted gross income does not exceed a specified amount.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields, Garcia, Grantham, Jahn, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Scott, Tate, and Todd.

HB17-1173 by Representative(s) Hansen; also Senator(s) Neville T.--Concerning required provisions in a contract between a health insurance carrier and a health care provider concerning medical communications regarding disagreements in health care decisions.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Court, Crowder, Fields, Grantham, Hill, Holbert, Jahn, Kefalas, Martinez Humenik, Merrifield, Moreno, Priola, Scott, Tate, and Todd.

SB17-209 by Senator(s) Priola; also Representative(s) Weissman--Concerning access to the ballot by candidates.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court.

HB17-1193 by Representative(s) Kraft-Tharp and Becker J.; also Senator(s) Tate and Kerr--Concerning the installation of small wireless service infrastructure within a local government's jurisdiction, and, in connection therewith, clarifying that an expedited permitting process applies to small cell facilities and small cell networks and that the rights-of-way access afforded telecommunications providers extends to broadband providers and to small cell facilities and small cell networks.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Donovan, Fields, Garcia, Grantham, Guzman, Hill, Holbert, Jahn, Kefalas, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Todd, Williams A., and Zenzinger.

HB17-1126 by Representative(s) Danielson and Michaelson Jenet; also Senator(s) Crowder--Concerning the review of legal sufficiency of medicaid appeals.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Fields, Kefalas, Martinez Humenik, Moreno, and Zenzinger.

SB17-234 by Senator(s) Kerr, Martinez Humenik, Moreno, Tate; also Representative(s) Thurlow, Arndt, Hooton, Nordberg--Concerning the scheduled repeal of reports by the department of human services to the general assembly.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB17-246 by Senator(s) Martinez Humenik; also Representative(s) Michaelson Jenet and Singer--Concerning modernizing terminology relating to mental health disorders, and, in connection therewith, renaming the "legislative oversight committee concerning the treatment of persons with mental illness in the criminal and juvenile justice systems" to the "legislative oversight committee concerning the treatment of persons with mental health disorders in the criminal and juvenile justice systems" and making a corresponding change to the name of the associated task force.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields, Gardner, Guzman, Jahn, Jones, Kefalas, Kerr, and Todd.

SB17-242 by Senator(s) Martinez Humenik; also Representative(s) Ginal and Ransom--Concerning modernizing terminology in the Colorado Revised Statutes related to behavioral health.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Fields, Gardner, Jahn, Jones, Kefalas, Merrifield, Priola, Scott, Tate, Todd, and Williams A.

HB17-1220 by Representative(s) Becker K. and Wist, Carver, Esgar, Landgraf, Lawrence, Pabon, Thurlow, Van Winkle, Young; also Senator(s) Gardner and Fields, Priola--Concerning measures to stop diversion of legal marijuana to the illegal market.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Court, Crowder, Grantham, Hill, Holbert, Lambert, Martinez Humenik, Neville T., Smallwood, Tate, Todd, and Williams A.

SB17-218 by Senator(s) Kerr and Tate; also Representative(s) Kennedy--Concerning the continuation of the regulation of landscape architects by the division of professions and occupations in the department of regulatory agencies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Merrifield, and Williams A.

HB17-1049 by Representative(s) Thurlow and Gray; also Senator(s) Coram--Concerning the elimination of refund interest related to a property tax abatement.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Grantham, Kefalas, Kerr, Martinez Humenik, Moreno, and Scott.

HB17-1174 by Representative(s) Wilson, McLachlan, Valdez; also Senator(s) Crowder and Guzman--Concerning the establishment of an exception for rural counties from the limitations on the establishment of a local improvement district to fund the construction of a telecommunications service improvement for advanced service.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Coram, Donovan, Fenberg, Fields, Gardner, Hill, Holbert, Jahn, Jones, Kefalas, Martinez Humenik, Merrifield, Priola, Scott, Tate, and Zenzinger.

SB17-252 by Senator(s) Tate--Concerning the authority of a board of any political subdivision to enter into contracts for utility cost savings.

Laid over until Friday, March 31, retaining its place on the calendar.

SB17-245 by Senator(s) Priola; also Representative(s) Pabon--Concerning a twenty-one-day notice requirement in tenancies of one month or more but less than six months.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Donovan, Fenberg, Fields, Jones, Kefalas, Martinez Humenik, Merrifield, Moreno, and Zenzinger.

Committee of the Whole

On motion of Senator Fields, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Fields was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1194 by Representative(s) Foote; also Senator(s) Cooke--Concerning technical changes relating to the operation of pathways in technology early college high schools.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1184 by Representative(s) Duran; also Senator(s) Grantham--Concerning developing additional resources for modern technology education in public schools.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Fields, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1194, HB17-1184.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-106 by Senator(s) Aguilar and Coram, Kefalas; also Representative(s) Singer--Concerning the continuation of the regulation of naturopathic doctors by the director of the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the department's sunset review recommendations.

Senator Coram moved that the Senate not concur in House amendments to **SB17-106**, as printed in House journal, March 23, page(s) 598-599, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SB17-036 by Senator(s) Scott and Coram; also Representative(s) Arndt and Becker J.--Concerning the appellate process governing a district court's review of final agency actions concerning groundwater.

Senator Scott moved that the Senate concur in House amendments to **SB17-036**, as printed in House journal, March 24, page 615. The motion **failed** by the following roll call vote:

YES	10	NO	24	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	N	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	N
Crowder	N	Jahn	N	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

Senator Coram moved that the Senate not concur in House amendments to **SB17-036**, and that a conference committee be appointed. The motion was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
STATE HISTORICAL SOCIETY
BOARD OF DIRECTORS

for terms expiring July 1, 2019:

Robert E. Musgraves of Denver, Colorado, reappointed;

Cathy Lee Carpenter Dea of Golden, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
BOARD OF TRUSTEES FOR THE
UNIVERSITY OF NORTHERN COLORADO

effective December 31, 2016 for a term expiring December 31, 2020:

Anthony Darren Salazar of Denver, Colorado to serve as an Unaffiliated, reappointed.

for a term expiring December 31, 2018:

Janice Carrie Sinden of Evergreen, Colorado, to serve as a Republican, and occasioned by the resignation of Kelly Marie Johnson, PhD, RN, MSN, NEA-BC, CRRN of Parker, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLLEGEINVEST BOARD OF DIRECTORS

for terms expiring July 31, 2020:

Rita C. Felde of Evergreen, Colorado, reappointed;

Frederick Taylor of Denver, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-015, 046, and 066; HB17-1076, 1147, 1148, and 1180.

Upon request of Majority Leader Holbert, **SB17-237, SB17-244, SB17-260,** and **SB17-262** were removed from the General Orders--Second Reading of Bills Consent Calendar of Thursday, March 30, 2017 and was placed at the end of the General Orders--Second Reading of Bills Calendar of Thursday, March 30, 2017.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

MESSAGE FROM THE HOUSE

March 29, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1219.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1236, amended as printed in House Journal, March 28, 2017.
HB17-1256, amended as printed in House Journal, March 28, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-112, amended as printed in House Journal, March 28, 2017.

The House has voted not to concur in the Senate Amendments to HB17-1035 and requests that a conference committee be appointed. The Speaker has appointed Representatives Jackson, Chairman, Weissman, and Carver as House conferees on the First Conference Committee on HB17-1035. The bill is transmitted herewith.

The House has adopted and returns herewith SJM17-002.

MESSAGE FROM THE REVISOR OF STATUTES

March 29, 2017

We herewith transmit:

Without comment, HB17-1219.
Without comment, as amended, HB17-1236 and 1256.
Without comment, as amended, SB17-112.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB17-233, SB17-241, SB17-239, HB17-1115, SB17-214, SB17-255, SB17-257, SB17-258, SB17-259, SB17-261, SB17-264, SB17-265, and SB17-266 were made Special Orders -- Consent Calendar at 1:40 p.m.

Committee of the Whole

The hour of 1:40 p.m. having arrived, Senator Hill 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 Hill 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:

SB17-233 by Senator(s) Tate, Kerr, Martinez Humenik, Moreno; also Representative(s) Arndt, Hooton, Nordberg, Thurlow--Concerning the scheduled repeal of reports by the department of law to the general assembly.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-241 by Senator(s) Tate, Kerr, Martinez Humenik, Moreno; also Representative(s) Hooton, Arndt, Nordberg, Thurlow--Concerning the scheduled repeal of reports by the judicial department to the general assembly.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 28, page 552 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-239 by Senator(s) Williams A. and Martinez Humenik, Tate; also Representative(s) Singer and Thurlow, Pabon--Concerning additional authority for the controller to allow nonmonetary adjustments for information technology capital projects in certain circumstances.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1115 by Representative(s) Buck and Ginal, McKean; also Senator(s) Kefalas and Tate--Concerning the establishment of direct primary health care agreements to operate without regulation by the division of insurance.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, March 28, page 597 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB17-214 by Senator(s) Smallwood and Garcia; also Representative(s) Exum and Pettersen, Esgar, Pabon--Concerning the creation of the voluntary firefighter cancer benefits program.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, March 28, page 597 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-255 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning the creation of the technology advancement and emergency fund in the office of information technology, and, in connection therewith, making an appropriation.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-257 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Rankin, Hamner, Young--Concerning the creation of the community museums cash fund for the administration of revenues generated by community museums operated by the state historical society, and, in connection therewith, making an appropriation.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-258 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning the use of open educational resources in public institutions of higher education, and, in connection therewith, making an appropriation.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-259 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning a transfer of money from the general fund to cash funds administered by state departments for the protection of the state's natural resources.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-261 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning the creation of the 2013 flood recovery account in the disaster emergency fund.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-264 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Young, Hamner, Rankin--Concerning funding sources related to services for behavioral or mental health disorders.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-265 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a transfer of money from the state employee reserve fund to the general fund.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-266 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a reduction in the amount of the general fund reserve required for the fiscal year 2016-17.

Ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Hill, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-233, SB17-241 as amended, SB17-239, SB17-214 as amended, SB17-255, SB17-257, SB17-258, SB17-259, SB17-261, SB17-264, SB17-265, SB17-266, HB17-1115 as amended.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB17-237, SB17-244, SB17-256, SB17-263, SB17-260, SB17-262, and SB17-254 were made Special Orders at 1:47 p.m.

Committee of the Whole

The hour of 1:47 p.m. having arrived, Senator Hill moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Hill 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:

SB17-237 by Senator(s) Gardner and Marble; --Concerning the age of employees permitted to sell alcohol beverages at specified establishments licensed to sell alcohol beverages for consumption on the licensed premises.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-244 by Senator(s) Priola; also Representative(s) Gray--Concerning retail food establishment license fees.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-256 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning hospital reimbursement rates for the 2017-18 state fiscal year.

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.)

SB17-263 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning capital-related transfers of money.

Amendment No. 1(L.002), by Senator Lambert.

Amend printed bill, page 4, strike lines 14 through 16 and substitute "CREATED IN SECTION 24-75-302 TO RESTORE THE WINDOWS AND GRANITE EXTERIOR OF THE STATE CAPITOL BUILDING.".

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.)

SB17-260 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning transfers to the general fund from cash funds with severance tax revenues.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-262 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the transfer of money from the general fund to cash funds that are used for the state's infrastructure.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-254 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.

Amendment No. 1(J.001), by Senators Garcia, Aguilar, Merrifield, Court, Todd, Kerr, Kagan, Jones, Fenberg, Zenzinger, Donovan, and Guzman.

Amend printed bill, page 112, after line 12 insert:

	ITEM & SUBTOTAL $	CASH FUNDS $	FEDERAL FUNDS $
"Connect for Health Colorado Systems	669,757	122,690[f]	547,067".

Adjust affected totals accordingly.

Page 113, after line 7 insert:

"[f] This amount represents public funds certified as expenditures incurred by Connect for Health Colorado that are eligible for federal financial participation under the Medicaid program.".

Page 114, after line 6 insert:

	ITEM & SUBTOTAL $	CASH FUNDS $	FEDERAL FUNDS $
"Connect for Health Colorado Eligibility Determinations	4,474,451	1,667,767[f]	2,806,684".

Adjust affected totals accordingly.

Page 114, after line 15 insert:

"[f] This amount represents public funds certified as expenditures incurred

by Connect for Health Colorado that are eligible for federal financial participation under the Medicaid program.".

PURPOSE: Provides the Department of **Health Care Policy and Financing** $5,144,208 total funds, including $1,790,457 cash funds, to reimburse Connect for Health Colorado for eligibility determination assistance provided to applicants for Medicaid and the Children's Basic Health Plan. The source of cash funds is insurance fees already being spent by Connect for Health Colorado for this purpose that the Department will certify as a public expenditure in order to draw the federal match. Certified public expenditures are not included in calculations of the State's revenue that is subject to the TABOR limit and therefore do not increase the projected General Fund obligation for a TABOR refund.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Health Care Policy and Financing	$0	$1,790,457	$0	$3,353,751	$5,144,208	0.0

Amendment No. 2(J.057), by Senator Zenzinger.

Amend printed bill, page 117, line 6, strike "Individuals[13]" and substitute "Individuals[13,13a]".

Page 133, after line 16 insert:

"13a Department of Health Care Policy and Financing, Medical Services Premiums, Medical and Long-Term Care Services for Medicaid Eligible Individuals -- The General Assembly assumes federal approval of provider rate increases for Home- and Community-Based Services will be delayed until October 1, 2017, resulting in a savings of $2,494,924 General Fund. It is the General Assembly's intent that this savings be invested in a rate increase for emergency medical transportation, non-emergency medical transportation, and non-medical transportation of $8,236,157 total funds, of which $2,494,924 comes from the General Fund. The General Assembly assumes that to continue the rate increases for transportation services in FY 2018-19, when the one-time savings from the delay of Home- and Community-Based Services rate increases is gone, the Department of Health Care Policy and Financing will need $9,374,564, of which $2,924,536 comes from the General Fund.".

PURPOSE: Adds a footnote to the Department of **Health Care Policy and Financing** related to provider rates and transportation services.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
and Financing	$0	$0	$0	$0	$0	0.0

FUTURE Fiscal Impact in FY 2018-19						
Department	GF	CF	RF	FF	Total	FTE
Health Care Policy and Financing	$2,924,536	$373,607	$0	$6,076,421	$9,374,564	0.0

Amendment No. 3(J.050), by Senators Neville and Cooke.

Amend printed bill, page 243, line 1, in the ITEM & SUBTOTAL column strike "355,041" and substitute "355,031" and in the GENERAL FUND column strike "325,568" and substitute "325,558".

Page 243, line 3, in the ITEM & SUBTOTAL column strike "10,659,810" and substitute "10,619,357", in the GENERAL FUND column strike "9,876,421" and substitute "9,836,206", and in the CASH FUNDS column strike "783,389[a]" and substitute "783,151[a]".

Page 243, line 6, in the ITEM & SUBTOTAL column strike "10,240,770" and substitute "10,213,101", in the GENERAL FUND column strike "9,459,868" and substitute "9,432,362", and in the CASH FUNDS column strike "780,902[a]" and substitute "780,739[a]".

Page 243, line 7, in the ITEM & SUBTOTAL column strike "7,082,791" and substitute "4,974,368", in the GENERAL FUND column strike "6,766,603" and substitute "4,670,658", and in the CASH FUNDS column strike "316,188[a]" and substitute "303,710[a]".

Adjust affected totals accordingly.

Page 255, line 5, in the ITEM & SUBTOTAL column strike "104,099" and substitute "104,089" and in the GENERAL FUND column strike "104,099" and substitute "104,089".

Page 255, line 7, in the ITEM & SUBTOTAL column strike "2,739,447" and substitute "2,739,179" and in the GENERAL FUND column strike "2,739,447" and substitute "2,739,179".

Page 255, line 10, in the ITEM & SUBTOTAL column strike "2,739,447" and substitute "2,739,179" and in the GENERAL FUND column strike "2,739,447" and substitute "2,739,179".

Page 255, line 11, in the ITEM & SUBTOTAL column strike "1,049,815" and substitute "1,043,828" and in the GENERAL FUND column strike "1,049,815" and substitute "1,043,828".

Adjust affected totals accordingly.

Page 257, line 2, in the ITEM & SUBTOTAL column strike "2,303" and substitute "2,293" and in the GENERAL FUND column strike "2,303" and substitute "2,293".

Page 257, line 4, in the ITEM & SUBTOTAL column strike "60,596" and substitute "60,339" and in the GENERAL FUND column strike "60,596" and substitute "60,339".

Page 257, line 7, in the ITEM & SUBTOTAL column strike "60,596" and substitute "60,339" and in the GENERAL FUND column strike "60,596" and substitute "60,339".

Page 257, line 8, in the ITEM & SUBTOTAL column strike "125,038" and substitute "119,297" and in the GENERAL FUND column strike "125,038" and substitute "119,297".

Adjust affected totals accordingly.

Page 258, line 7, in the ITEM & SUBTOTAL column strike "4,264" and substitute "4,254" and in the GENERAL FUND column strike "4,264" and substitute "4,254".

Page 258, line 9, in the ITEM & SUBTOTAL column strike "112,214" and substitute "111,957" and in the GENERAL FUND column strike "112,214" and substitute "111,957".

Page 258, line 12, in the ITEM & SUBTOTAL column strike "112,214" and substitute "111,957" and in the GENERAL FUND column strike "112,214" and substitute "111,957".

Page 258, line 13, in the ITEM & SUBTOTAL column strike "51,195"

and substitute "45,454" and in the GENERAL FUND column strike "51,195" and substitute "45,454".

Adjust affected totals accordingly.

Page 259, line 15, in the ITEM & SUBTOTAL column strike "1,621" and substitute "1,611" and in the GENERAL FUND column strike "1,621" and substitute "1,611".

Page 260, line 2, in the ITEM & SUBTOTAL column strike "42,654" and substitute "42,397" and in the GENERAL FUND column strike "42,654" and substitute "42,397".

Page 260, line 5, in the ITEM & SUBTOTAL column strike "42,654" and substitute "42,397" and in the GENERAL FUND column strike "42,654" and substitute "42,397".

Page 260, line 6, in the ITEM & SUBTOTAL column strike "22,900" and substitute "17,159" and in the GENERAL FUND column strike "22,900" and substitute "17,159".

Adjust affected totals accordingly.

Page 263, line 3, strike "$10,128" and substitute "$4,420" and strike "$186,927" and substitute "$181,219".

Page 263, line 4, strike "9,912" and substitute "4,326" and strike "182,936" and substitute "177,350".

Page 263, line 5, strike "9,738" and substitute "4,249" and strike "179,715" and substitute "174,226".

Page 263, line 6, strike "9,519" and substitute "4,154" and strike "175,689" and substitute "170,324".

Page 263, line 8, strike "9,127" and substitute "3,983" and strike "168,447" and substitute "163,303".

Page 263, line 9, strike "8,734" and substitute "3,812" and strike "161,200" and substitute "156,278".

Page 497, line 12, in the TOTAL column strike "1,419,531,001" and substitute "1,421,720,005" and in the GENERAL FUND column insert "2,189,004".

Adjust affected totals accordingly.

PURPOSE: Reduces appropriations to the **Judicial** Department by $2.2 million total funds to eliminate funding for a 3.15 percent increase in base salaries for judicial officers. Increases by $2.2 million General Fund the appropriation to the Department of **Transportation** for construction, maintenance, and operations.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Judicial	($2,189,004)	($12,879)	$0	$0	($2,201,883)	0.0
Transportation	2,189,004	0	0	0	2,189,004	0.0
	$0	($12,879)	$0	$0	($12,879)	0.0

Amendment No. 4(J.020), by Senators Donovan, Zenzinger, and Kerr.

Amend printed bill, page 243, line 1, in the ITEM & SUBTOTAL column strike "355,041" and substitute "355,031" and in the GENERAL FUND column strike "325,568" and substitute "325,558".

Page 243, line 3, in the ITEM & SUBTOTAL column strike "10,659,810" and substitute "10,619,357", in the GENERAL FUND column strike "9,876,421" and substitute "9,836,206", and in the CASH

FUNDS column strike "783,389[a]" and substitute "783,151[a]".

Page 243, line 6, in the ITEM & SUBTOTAL column strike "10,240,770" and substitute "10,213,101", in the GENERAL FUND column strike "9,459,868" and substitute "9,432,362", and in the CASH FUNDS column strike "780,902[a]" and substitute "780,739[a]".

Page 243, line 7, in the ITEM & SUBTOTAL column strike "7,082,791" and substitute "4,974,368", in the GENERAL FUND column strike "6,766,603" and substitute "4,670,658", and in the CASH FUNDS column strike "316,188[a]" and substitute "303,710[a]".

Adjust affected totals accordingly.

Page 255, line 5, in the ITEM & SUBTOTAL column strike "104,099" and substitute "104,089" and in the GENERAL FUND column strike "104,099" and substitute "104,089".

Page 255, line 7, in the ITEM & SUBTOTAL column strike "2,739,447" and substitute "2,739,179" and in the GENERAL FUND column strike "2,739,447" and substitute "2,739,179".

Page 255, line 10, in the ITEM & SUBTOTAL column strike "2,739,447" and substitute "2,739,179" and in the GENERAL FUND column strike "2,739,447" and substitute "2,739,179".

Page 255, line 11, in the ITEM & SUBTOTAL column strike "1,049,815" and substitute "1,043,828" and in the GENERAL FUND column strike "1,049,815" and substitute "1,043,828".

Adjust affected totals accordingly.

Page 257, line 2, in the ITEM & SUBTOTAL column strike "2,303" and substitute "2,293" and in the GENERAL FUND column strike "2,303" and substitute "2,293".

Page 257, line 4, in the ITEM & SUBTOTAL column strike "60,596" and substitute "60,339" and in the GENERAL FUND column strike "60,596" and substitute "60,339".

Page 257, line 7, in the ITEM & SUBTOTAL column strike "60,596" and substitute "60,339" and in the GENERAL FUND column strike "60,596" and substitute "60,339".

Page 257, line 8, in the ITEM & SUBTOTAL column strike "125,038" and substitute "119,297" and in the GENERAL FUND column strike "125,038" and substitute "119,297".

Adjust affected totals accordingly.

Page 258, line 7, in the ITEM & SUBTOTAL column strike "4,264" and substitute "4,254" and in the GENERAL FUND column strike "4,264" and substitute "4,254".

Page 258, line 9, in the ITEM & SUBTOTAL column strike "112,214" and substitute "111,957" and in the GENERAL FUND column strike "112,214" and substitute "111,957".

Page 258, line 12, in the ITEM & SUBTOTAL column strike "112,214" and substitute "111,957" and in the GENERAL FUND column strike "112,214" and substitute "111,957".

Page 258, line 13, in the ITEM & SUBTOTAL column strike "51,195" and substitute "45,454" and in the GENERAL FUND column strike "51,195" and substitute "45,454".

Adjust affected totals accordingly.

Page 259, line 15, in the ITEM & SUBTOTAL column strike "1,621" and substitute "1,611" and in the GENERAL FUND column strike "1,621" and substitute "1,611".

Page 260, line 2, in the ITEM & SUBTOTAL column strike "42,654" and substitute "42,397" and in the GENERAL FUND column strike "42,654" and substitute "42,397".

Page 260, line 5, in the ITEM & SUBTOTAL column strike "42,654" and substitute "42,397" and in the GENERAL FUND column strike "42,654" and substitute "42,397".

Page 260, line 6, in the ITEM & SUBTOTAL column strike "22,900" and substitute "17,159" and in the GENERAL FUND column strike "22,900" and substitute "17,159".

Adjust affected totals accordingly.

Page 263, line 3, strike "$10,128" and substitute "$4,420" and strike "$186,927" and substitute "$181,219".

Page 263, line 4, strike "9,912" and substitute "4,326" and strike "182,936" and substitute "177,350".

Page 263, line 5, strike "9,738" and substitute "4,249" and strike "179,715" and substitute "174,226".

Page 263, line 6, strike "9,519" and substitute "4,154" and strike "175,689" and substitute "170,324".

Page 263, line 8, strike "9,127" and substitute "3,983" and strike "168,447" and substitute "163,303".

Page 263, line 9, strike "8,734" and substitute "3,812" and strike "161,200" and substitute "156,278".

PURPOSE: Reduces appropriations to the **Judicial** Department to eliminate funding for a 3.15 percent increase in base salaries for judicial officers.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
	($2,189,004)	($12,879)	$0	$0	($2,201,883)	0.0

Amendment No. 5(J.044), by Senator Garcia.

Amend printed bill, page 318, line 6, in the ITEM & SUBTOTAL column strike "657,280" and substitute "957,280" and in the GENERAL FUND column strike "657,280" and substitute "957,280".

Adjust affected totals accordingly.

PURPOSE: Adds $300,000 General Fund to the Department of **Military and Veterans Affairs** for county veterans service officer payments.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Military and Veterans Affairs	$300,000	$0	$0	$0	$300,000	0.0

Amendment No. 6(J.024), by Senators Coram, Jahn, Fenberg, Donovan, and Garcia.

Amend printed bill, page 412, after line 8 insert:

	ITEM & SUBTOTAL $	CASH FUNDS $
"Healthy Kids Colorado Survey	745,124	745,124[c]

(1.5 FTE)".

Adjust affected totals accordingly.

Page 412, after line 14 insert "[c] This amount shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.".

PURPOSE: Adds $745,124 cash funds from the Marijuana Tax Cash Fund and 1.5 FTE to the Department of **Public Health and Environment** for the Healthy Kids Colorado Survey.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Public Health and Environment	$0	$745,124	$0	$0	$745,124	1.5

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.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

SB17-256 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning hospital reimbursement rates for the 2017-18 state fiscal year.

Senator Kerr moved to amend the Report of the Committee of the Whole to show that SB17-256 did not pass.

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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

(For further action, see Reconsideration of Amendments to the Report of the Committee of the Whole -- Special Orders.)

SB17-263 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning capital-related transfers of money.

Senator Scott moved to amend the Report of the Committee of the Whole to show that the following amendment to SB17-263 did pass.

Amend printed bill, page 2, lines 18 and 19, strike "SIXTY-EIGHT MILLION EIGHT HUNDRED FORTY THOUSAND FOUR HUNDRED FORTY-SIX" and substitute "SIXTY-SEVEN MILLION THREE HUNDRED FIVE THOUSAND FOUR HUNDRED SIXTEEN".

Senator Scott withdrew his amendment.

Senate in recess. Senate reconvened.

RECONSIDERATION OF AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- ON SB17-256

SB17-256 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning hospital reimbursement rates for the 2017-18 state fiscal year.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Amendments to the Report of the Committee of the Whole -- Special Orders, on **SB17-256**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS (cont'd)

SB17-256 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning hospital reimbursement rates for the 2017-18 state fiscal year.

Senator Kerr moved to amend the Report of the Committee of the Whole to show that SB17-256 did not pass.

Senator Kerr withdrew his amendment.

SB17-254 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr, Merrifield, Court, Todd, Kefalas, Jones, Fenberg, Zenzinger, and Guzman floor amendment, (Amendment No. 1 - J.022) to SB17-254, did pass.

> Amend printed bill, page 27, line 7, in the ITEM & SUBTOTAL column strike "61,220,653" and substitute "36,120,653" and in the GENERAL FUND column strike "59,142,933" and substitute "34,042,933".
>
> Adjust affected totals accordingly.
>
> Page 64, line 8, in the ITEM & SUBTOTAL column strike "4,353,087,959" and substitute "4,389,887,959" and in the GENERAL FUND column strike "3,048,888,997" and substitute "3,085,688,997".
>
> Adjust affected totals acordingly.

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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr, Court, Jones, Fenberg, and Guzman floor amendment, (Amendment No. 2 - J.035) to SB17-254, did pass.

Amend printed bill, page 27, line 7, in the ITEM & SUBTOTAL column strike "61,220,653" and substitute "46,220,653" and in the GENERAL FUND column strike "59,142,933" and substitute "44,142,933".

Adjust affected totals accordingly.

Page 89, line 2, in the ITEM & SUBTOTAL column strike "3,623,542" and substitute "18,623,542" and in the GENERAL FUND column strike "70,000" and substitute "15,070,000".

Adjust affected totals 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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr, Jones, Fenberg, and Guzman floor amendment, (Amendment No. 4 - J.038) to SB17-254, did pass.

Amend printed bill, page 27, line 7, in the ITEM & SUBTOTAL column strike "61,220,653" and substitute "57,660,653" and in the GENERAL FUND column strike "59,142,933" and substitute "55,582,933".

Adjust affected totals accordingly.

Page 147, line 16, in the ITEM & SUBTOTAL column strike "252,068,162" and substitute "255,628,162".

Page 148, line 8, in the ITEM & SUBTOTAL column strike "372,579,801" and substitute "376,139,801" and in the GENERAL FUND column strike "4,109,941" and substitute "7,669,941".

Adjust affected totals accordingly.

Page 153, line 10, strike "**Mines**[30]" and substitute "**Mines**[30, 30a]", in the ITEM & SUBTOTAL column strike "170,815,394" and substitute "174,375,394", and in the REAPPROPRIATED FUNDS column strike "21,484,706[b]" and substitute "25,044,706[b]".

Page 154, line 1, strike "$15,163,050" and substitute "$18,723,050".

Adjust affected totals accordingly.

Page 168, after line 17 insert:

"30a Department of Higher Education, Governing Boards, Trustees of the Colorado School of Mines -- It is the General Assembly's intent that, of this amount, $3,560,000 reappropriated funds shall be for a study on wind energy.".

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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Todd moved to amend the Report of the Committee of the Whole to show that the following Todd, Merrifield, Court, Kerr, Kagan, Jones, Fenberg, Zenzinger, Donovan, and Guzman floor amendment, (Amendment No. 5 - J.049) to SB17-254, did pass.

Amend printed bill, page 64, line 8, in the GENERAL FUND column strike "3,048,888,997" and substitute "3,000,088,997" and in the CASH FUNDS column strike "381,130,629^{d}" and substitute "429,930,629^{d}".

Adjust affected totals accordingly.

Page 65, line 10, strike "$307,920,091" and substitute "$356,720,091".

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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Merrifield moved to amend the Report of the Committee of the Whole to show that the following Merrifield, Zenzinger, Todd, Kerr, Jones, Fenberg, Jahn, and Guzman floor amendment, (Amendment No. 3 - J.010) to SB17-254, did pass.

Amend printed bill, page 27, line 7, in the ITEM & SUBTOTAL column strike "61,220,653" and substitute "56,220,653" and in the GENERAL FUND column strike "59,142,933" and substitute "54,142,933".

Adjust affected totals accordingly.

Page 144, line 5, in the ITEM & SUBTOTAL column strike "128,466,694" and substitute "130,378,882" and in the GENERAL FUND column strike "993,997" and substitute "2,906,185".

Adjust affected totals accordingly.

Page 146, line 9, strike "$2,310" and substitute "$2,340".

Page 146, line 10, in the ITEM & SUBTOTAL column strike "291,259,844" and substitute "295,042,410".

Page 147, line 5, strike "$1,155" and substitute "$1,170".

Page 147, line 6, in the ITEM & SUBTOTAL column strike "1,481,865" and substitute "1,501,110".

Page 147, line 7, in the ITEM & SUBTOTAL column strike "292,741,709" and substitute "296,543,520" and in the GENERAL FUND column strike "38,490" and substitute "3,840,301".

Page 147, line 16, in the ITEM & SUBTOTAL column strike "252,068,162" and substitute "254,647,678".

Page 148, line 4, in the ITEM & SUBTOTAL column strike "120,174,679" and substitute "121,571,614".

Page 148, line 8, in the ITEM & SUBTOTAL column strike "372,579,801" and substitute "376,556,252" and in the GENERAL FUND column strike "4,109,941" and substitute "8,086,392".

Adjust affected totals accordingly.

Page 149, line 3, in the ITEM & SUBTOTAL column strike "41,644,400" and substitute "41,781,505" and in the REAPPROPRIATED FUNDS column strike "14,259,963[b]" and substitute "14,397,068[b]".

Page 149, line 8, strike "$2,829,163" and substitute "$2,865,798" and strike "$11,430,800" and substitute "$11,531,270".

Page 149, line 12, in the ITEM & SUBTOTAL column strike "102,178,724" and substitute "102,483,218" and in the REAPPROPRIATED FUNDS column strike "25,951,161[b]" and substitute "26,255,655[b]".

Page 150, line 3, strike "$14,646,059" and substitute "$14,836,302" and strike "$11,305,102" and substitute "$11,419,353".

Page 150, line 8, in the ITEM & SUBTOTAL column strike "183,224,694" and substitute "183,841,500" and in the REAPPROPRIATED FUNDS column strike "51,626,603[b]" and substitute "52,243,409[b]".

Page 150, line 12, strike "$31,937,232" and substitute "$32,351,904" and strike "$19,689,371" and substitute "$19,891,505".

Page 151, line 3, in the ITEM & SUBTOTAL column strike "36,488,140" and substitute "36,617,408" and in the REAPPROPRIATED FUNDS column strike "11,821,897[b]" and substitute "11,951,165[b]".

Page 151, line 7, strike "$3,096,055" and substitute "$3,136,302" and strike "$8,725,842" and substitute "$8,814,863".

Page 151, line 13, in the ITEM & SUBTOTAL column strike "673,516,057" and substitute "675,152,320" and in the REAPPROPRIATED FUNDS column strike "139,285,526[b]" and substitute "140,921,789[b]".

Page 152, line 2, strike "$44,082,292" and substitute "$44,654,688" and strike "$39,178,625" and substitute "$39,596,720".

Page 152, line 3, strike "$56,024,609" and substitute "$56,670,381".

Page 152, line 6, in the ITEM & SUBTOTAL column strike "57,601,319" and substitute "57,731,012" and in the REAPPROPRIATED FUNDS column strike "11,784,939[b]" and substitute "11,914,632[b]".

Page 152, line 10, strike "$3,928,733" and substitute "$3,979,872" and strike "$7,856,206" and substitute "$7,934,760".

Page 152, line 14, in the ITEM & SUBTOTAL column strike "1,300,638,695" and substitute "1,302,931,961" and in the REAPPROPRIATED FUNDS column strike "194,318,227[b]" and substitute "196,611,493[b]".

Page 153, line 4, strike "$64,865,863" and substitute "$65,708,370" and

strike "$65,202,294" and substitute "$65,901,890".

Page 153, line 5, strike "$64,150,070" and substitute "$64,901,233".

Page 153, line 10, in the ITEM & SUBTOTAL column strike "170,815,394" and substitute "171,055,407" and in the REAPPROPRIATED FUNDS column strike "21,484,706[b]" and substitute "21,724,719[b]".

Page 154, line 1, strike "$6,321,656" and substitute "$6,403,644" and strike "$15,163,050" and substitute "$15,321,075".

Page 154, line 5, in the ITEM & SUBTOTAL column strike "159,405,633" and substitute "159,802,584" and in the REAPPROPRIATED FUNDS column strike "39,597,408[b]" and substitute "39,994,359[b]".

Page 154, line 9, strike "$15,477,118" and substitute "$15,678,234" and strike "$24,045,290" and substitute "$24,241,125".

Page 155, line 5, in the ITEM & SUBTOTAL column strike "472,361,987" and substitute "474,237,145" and in the REAPPROPRIATED FUNDS column strike "153,709,215[b]" and substitute "155,584,373[b]".

Page 155, line 10, strike "$104,075,673" and substitute "$105,427,296" and strike "$49,471,582" and substitute "$49,995,117".

Adjust affected totals accordingly.

Page 156, line 5, in the ITEM & SUBTOTAL column strike "7,833,713" and substitute "7,920,217 and in the GENERAL FUND column strike "1,278,464" and substitute "1,364,968".

Page 156, line 6, in the ITEM & SUBTOTAL column strike "9,223,890" and substitute "9,326,176" and in the GENERAL FUND column strike "2,045,505" and substitute "2,147,791".

Adjust affected totals accordingly.

Page 157, line 13, in the ITEM & SUBTOTAL column strike "10,218,039" and substitute "10,338,799" and in the GENERAL FUND column strike "2,126,194" and substitute "2,246,954".

Adjust affected totals accordingly.

Page 166, line 2, strike "seven" and substitute "six".

Page 166, line 8, strike "seven" and substitute "six".

Page 166, line 14, strike "seven" and substitute "six".

Page 167, line 4, strike "six" and substitute "five".

Page 167, line 10, strike "six" and substitute "five".

Page 168, line 1, strike "six" and substitute "five".

Page 168, line 7, strike "five" and substitute "four".

Page 169, line 2, strike "seven" and substitute "six".

Page 169, line 9 strike the first "seven" and substitute "six".

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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Merrifield moved to amend the Report of the Committee of the Whole to show that the following Merrifield, Court, Todd, Kerr, Fenberg, and Fields floor amendment, (Amendment No. 12 - J.019) to SB17-254, did pass.

Amend printed bill, page 94, line 12, in the ITEM & SUBTOTAL column strike "2,765,734" and substitute "3,465,734" and in the GENERAL FUND column insert "700,000".

Adjust affected totals 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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Donovan moved to amend the Report of the Committee of the Whole to show that the following Kefalas, Jones, Merrifield, Todd, Kerr, Kagan, Fenberg, and Guzman floor amendment, (Amendment No. 15 - J.005) to SB17-254, did pass.

Amend printed bill, page 190, line 15, in the ITEM & SUBTOTAL column strike "92,147,947" and substitute "100,147,947" and in the FEDERAL FUNDS column strike "57,456,798[fn]" and substitute "65,456,798[fn]".

Adjust affected totals accordingly.

Page 193, line 8, strike "$57,356,798" and substitute "$65,356,798".

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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Merrifield moved to amend the Report of the Committee of the Whole to show that the following Merrifield, Williams, Kefalas, Kerr, Fenberg, and Guzman floor amendment, (Amendment No. 16 - J.017) to SB17-254, did pass.

Amend printed bill, page 195, after line 3 insert:

	ITEM & SUBTOTAL $	GENERAL FUND $	FEDERAL FUNDS $
"Two Generations Reaching Opportunity	681,730 (0.9 FTE)".	372,356	309,374[j]

Adjust affected totals accordingly.

Page 196, after line 6 insert:

"[j]This amount shall be from the Temporary Assistance for Needy Families Block Grant.".

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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Fields moved to amend the Report of the Committee of the Whole to show that the following Fields, Kefalas, Aguilar, Todd, Kerr, Kagan, Fenberg, Zenzinger, Donovan, Garcia, and Guzman floor amendment, (Amendment No. 17 - J.007) to SB17-254, did pass.

Amend printed bill, page 225, line 14, in the ITEM & SUBTOTAL column strike "21,811,622" and substitute "22,311,622" and in the GENERAL FUND column strike "10,803,870" and substitute "11,303,870".

Adjust affected totals 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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Kagan moved to amend the Report of the Committee of the Whole to show that the following Kagan, Aguilar, Merrifield, Todd, Kerr, Kefalas, Jones, Fenberg, and Guzman floor amendment, (Amendment No. 21 - J.014) to SB17-254, did pass.

Amend printed bill, page 301, line 14, in the ITEM & SUBTOTAL column strike "53,136,975" and substitute "54,136,975" and in the GENERAL FUND column strike "2,660,938" and substitute "3,660,938".

Adjust affected totals 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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Kefalas moved to amend the Report of the Committee of the Whole to show that the following Kefalas, Aguilar, Merrifield, Todd, Kerr, Fenberg, and Guzman floor amendment, (Amendment No. 24 b - J.058) to SB17-254, did pass.

Amend printed bill, page 303, line 8, in the ITEM & SUBTOTAL column strike "20,228,793" and substitute "36,528,793" and in the CASH FUNDS column insert "16,300,000[d]".

Adjust affected totals accordingly.

Page 304, after line 7, insert:

"[d] This amount shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S."

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Court moved to amend the Report of the Committee of the Whole to show that the following Court, Merrifield, Kerr, Fenberg, Donovan, and Guzman floor amendment, (Amendment No. 31 - J.021) to SB17-254, did pass.

Amend printed bill, page 377, line 10, in the ITEM & SUBTOTAL column strike "3,837,669" and substitute "3,873,588" and in the CASH FUNDS column strike "2,448,120[a]" and substitute ""2,484,039[a]".

Page 377, line 11, in the ITEM & SUBTOTAL column strike "(47.7 FTE)" and substitute "(48.2 FTE)".

Page 377, line 12, in the ITEM & SUBTOTAL column strike "456,394"

and substitute "456,869" and in the CASH FUNDS column strike "262,794[a]" and substitute "263,269[a]".

Adjust affected totals accordingly.

Page 378, line 1, strike "$1,989,030" and substitute "$2,025,424".

Page 380, line 3, in the ITEM & SUBTOTAL column strike "2,717,100" and substitute "2,724,747" and in the CASH FUNDS column strike "1,410,000[a]" and substitute "1,417,647[a]".

Adjust affected totals accordingly.

Page 380, line 5, strike "$1,352,880" and substitute "$1,360,527".

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Williams moved to amend the Report of the Committee of the Whole to show that the following Williams, Crowder, Merrifield, Todd, Kerr, Kefalas, Kagan, Fenberg, Zenzinger, and Donovan floor amendment, (Amendment No. 7 - J.004) to SB17-254, did pass.

Amend printed bill, page 93, line 5, strike "Centers" and substitute "Centers[10a]".

Page 93, line 5, in the ITEM & SUBTOTAL column strike "1,373,120" and substitute "1,873,120" and in the GENERAL FUND column strike "94,144" and substitute "594,144".

Adjust affected totals accordingly.

Page 104, after line 8 insert:

"10a Governor - Lieutenant Governor - State Planning and Budgeting, Economic Development Programs, Small Business Development Centers -- It is the General Assembly's intent that $500,000 of this appropriation be provided to rural Small Business Development Centers.".

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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones, Merrifield, Kerr, and Fenberg floor amendment, (Amendment No. 27 - J.034) to SB17-254, did pass.

Amend printed bill, page 330, line 4, in the ITEM & SUBTOTAL column strike "10,073,566" and substitute "10,888,054" and in the CASH FUNDS column, strike "10,073,566[a]" and substitute "10,888,054[a]".

Page 330, line 5, in the CASH FUNDS column, strike "(108.3 FTE)" and substitute "(116.3 FTE)".

Page 331, line 7, strike "$5,398,067" and substitute "$6,212,555".

Adjust affected totals accordingly.

Page 345, line 12, strike "$13,878,934" and substitute "$14,693,422".

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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones and Kerr floor amendment, (Amendment No. 28 - J.025) to SB17-254, did pass.

Amend printed bill, page 330, line 4, in the ITEM & SUBTOTAL column strike "10,073,566" and substitute "10,122,278" and in the CASH FUNDS column, strike "10,073,566[a]" and substitute "10,122,278[a]".

Page 330, line 5, in the CASH FUNDS column, strike "(108.3 FTE)" and substitute "(109.3 FTE)".

Page 331, line, 7 strike "$5,398,067" and substitute "$5,446,779".

Adjust affected totals accordingly.

Page 345, line 12, strike "$13,878,934" and substitute "$13,927,646"

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 was **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones, Court, Kerr, Fenberg, and Guzman floor amendment, (Amendment No. 32 - J.030) to SB17-254, did pass.

Amend printed bill, page 383, after line 14 insert:

	ITEM & SUBTOTAL $	GENERAL FUND $
"University Corporation for Atmospheric Research	843,375	843,375".

Adjust affected totals 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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones and Kerr floor amendment, (Amendment No. 34 - J.056) to SB17-254, did pass.

Amend printed bill, page 385, line 12, in the ITEM & SUBTOTAL column strike "8,044,867" and substitute "8,910,396" and in the CASH FUNDS column strike "6,785,820[a]" and substitute "7,651,349[a]".

Page 385, line 13, in the CASH FUNDS column strike "(79.8 FTE)" and substitute "(90.8 FTE)".

Page 385, line 14, in the ITEM & SUBTOTAL column strike "324,057" and substitute "386,240" and in the CASH FUNDS column strike "275,143[a]" and substitute "337,326[a]".

Adjust affected totals accordingly.

Page 386, line 6, strike "$7,010,963" and substitute "$7,938,675".

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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Fields moved to amend the Report of the Committee of the Whole to show that the following Fields, Kerr, and Fenberg floor amendment, (Amendment No. 38 - J.016) to SB17-254, did pass.

Amend printed bill, page 410, line 12, strike "Services[80]" and substitute "Services[80,80a]", in the ITEM & SUBTOTAL column strike "7,323,361" and substitute "8,323,361", and in the GENERAL FUND column strike "3,734,461" and substitute "4,734,461".

Adjust affected totals accordingly.

Page 422, after line 5 insert:

"80a Department of Public Health and Environment, Prevention Services Division, Family and Community Health, Women's Health, Family Planning Purchase of Services -- It is the intent of the General Assembly that $1,000,000 of this appropriation be used for contraception services.".

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 was **lost** on the following roll call vote:

YES 16		NO 19		EXCUSED 0		ABSENT 0	
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Aguilar moved to amend the Report of the Committee of the Whole to show that the following Aguilar, Kerr, Kagan, Fenberg, and Guzman floor amendment, (Amendment No. 39 - J.026) to SB17-254, did pass.

Amend printed bill, page 412, line 5, strike "Centers[81]" and substitute "Centers[81,81a]", in the ITEM & SUBTOTAL column strike "5,000,000" and substitute "5,500,000", and in the CASH FUNDS column add "500,000[c]".

Adjust affected totals accordingly.

Page 412, after line 14 insert: "[c] This amount shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.".

Page 422, after line 9 insert:

"81a Department of Public Health and Environment, Prevention Services Division, Family and Community Health, Children and Youth Health, School-based Health Centers -- It is the General Assembly's intent that $500,000 of this appropriation be used to expand programs for substance abuse located in School-based Health Centers.".

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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senators Todd, Grantham, and Priola moved to amend the Report of the Committee of the Whole to show that the following Todd and Guzman floor amendment, (Amendment No. 8 - J.006) to SB17-254, did pass.

Amend printed bill, page 93, line 8, in the ITEM & SUBTOTAL column strike "500,000" and substitute "3,500,000" and in the GENERAL FUND column insert "3,000,000".

Adjust affected totals 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 was **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	Y	Kagan	N	Neville T.	N	President	Y
Fields	Y	Kefalas	N	Priola	Y		

Senator Neville moved to amend the Report of the Committee of the Whole to show that the following Coram, Jahn, Fenberg, Donovan, and Garcia floor amendment, (Amendment No. 40 - J.024) to SB17-254, did not pass.

Amend printed bill, page 412, after line 8 insert:

	ITEM & SUBTOTAL $	CASH FUNDS $
"Healthy Kids Colorado Survey	745,124	745,124[c] (1.5 FTE)".

Adjust affected totals accordingly.

Page 412, after line 14 insert "[c] This amount shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.".

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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	N	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

Senator Fenberg moved to amend the Report of the Committee of the Whole to show that the following Fenberg floor amendment, (Amendment No. 29 - J.036) to SB17-254, did pass.

Amend printed bill, page 332, line 14, in the ITEM & SUBTOTAL column strike "29,536,442" and substitute "30,536,442" and in the GENERAL FUND column strike "150,000" and substitute "1,150,000".

Adjust affected totals 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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Fenberg moved to amend the Report of the Committee of the Whole to show that the following Fenberg floor amendment, (Amendment No. 35 - J.046) to SB17-254, did pass.

Amend printed bill, page 385, line 12, in the ITEM & SUBTOTAL column strike "8,044,867" and substitute "8,556,316" and in the CASH FUNDS column strike "6,785,820[a]" and substitute "7,297,269[a]".

Page 385, line 13, in the CASH FUNDS column strike "(79.8 FTE)" and substitute "(86.3 FTE)".

Page 385, line 14, in the ITEM & SUBTOTAL column strike "324,057" and substitute "360,802" and in the CASH FUNDS column strike "275,143[a]" and substitute "311,888[a]".

Adjust affected totals accordingly.

Page 386, line 6, strike "$7,010,963" and substitute "$7,559,157".

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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Fenberg moved to amend the Report of the Committee of the Whole to show that the following Fenberg, Aguilar, Kerr, Jones, and Donovan floor amendment, (Amendment No. 37 - J.055) to SB17-254, did pass.

Amend printed bill, page 404, line 6, in the ITEM & SUBTOTAL column strike "696,029" and substitute "1,196,029" and in the CASH FUNDS column strike "293,699[b]" and substitute "793,699[b]".

Adjust affected totals 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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Fenberg moved to amend the Report of the Committee of the Whole to show that the following Fenberg, Merrifield, and Kerr floor amendment, (Amendment No. 41 - J.043) to SB17-254, did pass.

Amend printed bill, page 434, line 4, in the ITEM & SUBTOTAL column strike "16,587,360" and substitute "18,587,360" and in the GENERAL FUND column strike "10,896,813" and substitute "12,896,813".

Adjust affected totals 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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

On motion of Senator Hill, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-237, SB17-244, SB17-256, SB17-263 as amended, SB17-260, SB17-262, SB17-254 as amended.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, March 29, 2017, at 11:37 a.m.: SB17-015, 016, 046, 048, 062, 066, 076, 125, and 144.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB17-1051, 1103, 1107, 1109, 1151, 1152; HJR17-1019, 1020.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Cooke, Chair, Gardner, and Fields were appointed as Senate conferees on the first conference committee on **HB17-1035**.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR17-027 by Senator(s) Guzman and Tate; also Representative(s) Duran and Beckman--Concerning recognition of the need to expand access to effective treatment for stroke patients.

Laid over one day under Senate Rule 30(b).

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB17-268 by Senator(s) Smallwood and Kerr, Jahn, Neville T., Priola, Williams A.; also Representative(s) Ransom and Ginal, Landgraf, Liston, McKean--Concerning an increase in the number of pharmacy technicians a pharmacist may supervise.
Health & Human Services

SB17-269 by Senator(s) Marble and Aguilar; also Representative(s) Winter and McKean--Concerning the exclusion of specified nonalcohol products from the calculation of the maximum amount of a retail liquor store's annual gross sales revenue that may be derived from the sale of nonalcohol products.
Business, Labor, & Technology

SB17-270 by Senator(s) Baumgardner; --Concerning an examination by the transportation legislation review committee of replacing standard license plates issued to motor vehicles.
Transportation

SB17-271 by Senator(s) Cooke; also Representative(s) Pabon--Concerning the development of a transparent process by which an investor-owned utility may recover actual costs from a property owner on whose behalf the utility has extended its service by connecting the property owner's property to the utility's service.
Agriculture, Natural Resources, & Energy

SB17-272 by Senator(s) Priola; also Representative(s) Pettersen and Lundeen--Concerning adding a measure relating to demonstration of college and career readiness for determining a local education provider's attainment of the postsecondary and workforce readiness performance indicator.
Education

SB17-273 by Senator(s) Hill and Williams A.; --Concerning the manufacturer's list price of tobacco products for purposes of the state excise tax.
Finance

SB17-274 by Senator(s) Holbert; also Representative(s) Garnett--Concerning an authorization for nonadmitted insurers to offer disability insurance as a type of surplus lines insurance.
Business, Labor, & Technology

HB17-1072 by Representative(s) Landgraf and Lawrence, Buck, Carver, Thurlow; also Senator(s) Cooke--Concerning human trafficking for sexual servitude.
Judiciary

HB17-1155 by Representative(s) Thurlow; also Senator(s) Gardner--Concerning the ability to cure campaign finance reporting deficiencies without penalty.
State, Veterans, & Military Affairs

HB17-1185 by Representative(s) Singer; also Senator(s) Smallwood--Concerning reports of suspected child abuse or neglect.
Health & Human Services

HB17-1209 by Representative(s) Melton and Carver; also Senator(s) Cooke and Fields--Concerning peace officer designation for the manager of the office of prevention and security within the division of homeland security and emergency management in the department of public safety.
Judiciary

HB17-1219 by Representative(s) Arndt and McLachlan; also Senator(s) Crowder and Donovan--Concerning an extension of the agricultural water leasing pilot program administered by the Colorado water conservation board.
Agriculture, Natural Resources, & Energy

HB17-1224 by Representative(s) Kraft-Tharp; also Senator(s) Gardner--Concerning penalties for accessing drugs in a manner that violates the "Colorado Food and Drug Act".
Health & Human Services

HB17-1229 by Representative(s) Singer and Becker J., Ginal, Arndt, Liston, Lawrence; also Senator(s) Cooke and Todd--Concerning a clarification of when a worker may be compensated for a claim of mental impairment for a psychologically traumatic event under workers' compensation.
Business, Labor, & Technology

HB17-1233 by Representative(s) Arndt; also Senator(s) Crowder--Concerning protection of the historical consumptive use analysis of a water right involved in a water conservation program.
Agriculture, Natural Resources, & Energy

HB17-1256 by Representative(s) Foote; also Senator(s) Aguilar and Jones--Concerning a clarification of the minimum distance from which certain oil and gas facilities must be located from any school.
Agriculture, Natural Resources, & Energy

TRIBUTES

Honoring:

Connor Stout -- By Senator John Kefalas.
The Boulder Office of Emergency Management -- By Senator Matt Jones.
Mesa Elementary -- By Senator Dominick Moreno.
Commerce City Youth Commission -- By Senator Dominick Moreno.
Christian Home Educators of Colorado -- By Senator Kevin Lundberg.
Eric Skokan, Founder of Black Cat Farm-Table-Bistro -- By Senator Steve Fenberg.
Frasca Food & Wine -- By Senator Steve Fenberg.
Oskar Blues Brewery -- By Senator Matt Jones.
Mariah Hensel -- By Senator Matt Jones.
Denver Metro Chamber of Commerce -- By Senator Angela Williams and Senator Lucia Guzman.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Thursday, March 30, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

79th Legislative Day Thursday, March 30, 2017

Prayer — By the chaplain, Rabbi Eliot Baskin, Jewish Family Services of Colorado, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Coram.

Reading of the Journal — On motion of Senator Williams, reading of the Journal of Wednesday, March 29, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB17-268, 269, 270, 271, 272, 273, and 274; SJR17-027.
Correctly Engrossed: SB17-214, 233, 237, 239, 241, 244, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266; SJM17-002.
Correctly Reengrossed: SB17-209, 218, 231, 234, 242, 245, and 246.
Correctly Revised: HB17-1115, 1184, and 1194.
Correctly Rerevised: HB17-1049, 1104, 1126, 1173, 1174, 1193, and 1220.
Correctly Enrolled: SB17-065, 097, and 100.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, **HB17-1115** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Thursday, March 30, 2017, and laid over to the end of the Third Reading of Bills Final Passage Calendar of Friday, March 31, 2017.

Upon request of Majority Leader Holbert, **HB17-1184** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Thursday, March 30, 2017, and was placed at the end of the Third Reading of Bills Final Passage Calendar of Thursday, March 30, 2017.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB17-233 by Senator(s) Tate, Kerr, Martinez Humenik, Moreno; also Representative(s) Arndt, Hooton, Nordberg, Thurlow--Concerning the scheduled repeal of reports by the department of law to the general assembly.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Scott, and Zenzinger.

SB17-241 by Senator(s) Tate, Kerr, Martinez Humenik, Moreno; also Representative(s) Hooton, Arndt, Nordberg, Thurlow--Concerning the scheduled repeal of reports by the judicial department to the general assembly.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Zenzinger.

SB17-239 by Senator(s) Williams A. and Martinez Humenik, Tate; also Representative(s) Singer and Thurlow, Pabon--Concerning additional authority for the controller to allow nonmonetary adjustments for information technology capital projects in certain circumstances.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB17-214 by Senator(s) Smallwood and Garcia; also Representative(s) Exum and Pettersen, Esgar, Pabon--Concerning the creation of the voluntary firefighter cancer benefits program.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Donovan, Fenberg, Gardner, Grantham, Guzman, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Scott, Tate, Todd, Williams A., and Zenzinger.

SB17-255 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning the creation of the technology advancement and emergency fund in the office of information technology, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Jahn, Kerr, Martinez Humenik, Tate, Todd, and Zenzinger.

SB17-257 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Rankin, Hamner, Young--Concerning the creation of the community museums cash fund for the administration of revenues generated by community museums operated by the state historical society, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Fenberg, Fields, Grantham, Kerr, Merrifield, and Williams A.

SB17-258 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning the use of open educational resources in public institutions of higher education, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Donovan, Fields, Hill, Jahn, Jones, Kefalas, Kerr, Marble, Martinez Humenik, Merrifield, Neville T., Tate, Todd, and Zenzinger.

SB17-259 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning a transfer of money from the general fund to cash funds administered by state departments for the protection of the state's natural resources.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Donovan, Fenberg, Jones, Kefalas, Martinez Humenik, Merrifield, and Tate.

SB17-261 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning the creation of the 2013 flood recovery account in the disaster emergency fund.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Hill, Jones, Kefalas, Kerr, Marble, Martinez Humenik, Merrifield, Neville T., Tate, Todd, and Zenzinger.

SB17-264 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Young, Hamner, Rankin--Concerning funding sources related to services for behavioral or mental health disorders.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Fenberg, Fields, Garcia, Jahn, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Tate, Todd, Williams A., and Zenzinger.

SB17-265 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a transfer of money from the state employee reserve fund to the general fund.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Garcia.

SB17-266 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a reduction in the amount of the general fund reserve required for the fiscal year 2016-17.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder and Grantham.

HB17-1194 by Representative(s) Foote; also Senator(s) Cooke--Concerning technical changes relating to the operation of pathways in technology early college high schools.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Hill, Jahn, Jones, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Moreno, Tate, Todd, Williams A., and Zenzinger.

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:

SB17-237 by Senator(s) Gardner and Marble; --Concerning the age of employees permitted to sell alcohol beverages at specified establishments licensed to sell alcohol beverages for consumption on the licensed premises.

Laid over until Friday, March 31, retaining its place on the calendar.

SB17-244 by Senator(s) Priola; also Representative(s) Gray--Concerning retail food establishment license fees.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Holbert and Scott.

SB17-256 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning hospital reimbursement rates for the 2017-18 state fiscal year.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham.

SB17-263 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning capital-related transfers of money.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas.

SB17-260 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning transfers to the general fund from cash funds with severance tax revenues.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	N	Jones	Y	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB17-262 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the transfer of money from the general fund to cash funds that are used for the state's infrastructure.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	N	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Kefalas, Martinez Humenik, Todd, and Williams A.

SB17-254 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.

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	N	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	N	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Grantham, Jahn, Martinez Humenik, and Tate.

HB17-1184 by Representative(s) Duran; also Senator(s) Grantham--Concerning developing additional resources for modern technology education in public schools.

Laid over until Friday, March 31, retaining its place on the calendar.

The Senate proceeded out of order for a moment of personal privilege.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Neville was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1138 by Representative(s) Salazar, Herod, Rosenthal, Esgar, Melton, Jackson, Pabon, Gray, Ginal, Mitsch Bush, Valdez, Hansen, Buckner, Coleman, Danielson, Exum, Hooton, Lontine, McLachlan, Michaelson Jenet, Pettersen, Winter; also Senator(s) Williams A.--Concerning the reporting of hate crimes by law enforcement agencies.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-232 by Senator(s) Fenberg, Court; also Representative(s) Rosenthal--Concerning continuation under the sunset law of the bingo-raffle advisory board, and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, March 28, page(s) 568-595 and placed in members' bill files.)

Amendment No. 2(L.011), by Senator Hill.

Amend the State, Veterans, and Military Affairs Committee Report, dated March 27, 2017, page 29, strike line 29 and substitute "FIFTY-FOUR.".

Amendment No. 3(L.010), by Senator Fenberg.

Amend the State, Veterans, and Military Affairs Committee Report, dated March 27, 2017, page 9, lines 17 and 18, strike " EVENT, INCLUDING BY ELECTRONIC MEANS AND THROUGH THE INTERNET." and substitute "EVENT.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-132 by Senator(s) Gardner; also Representative(s) Wist--Concerning enactment of the "Revised Uniform Law on Notarial Acts" as amended.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, March 28, page(s) 595-597 and placed in members' bill files.)

Amendment No. 2(L.008), by Senator Tate.

Amend the Business, Labor, and Technology Committee Report, dated March 27, 2017, page 4, strike lines 20 and 21 and substitute:

"(5) The secretary of state shall appoint members to the working group, including at least the following:".

Page 4, line 25, strike "A member" and substitute "Two members".

Page 4, line 31, strike "company" and substitute "trade association".

Amendment No. 3(L.007), by Senator Gardner.

Amend the Business, Labor, and Technology Committee Report, dated March 27, 2017, page 2, line 35, strike "EMPLOYER."." and substitute "EMPLOYER.

(c) INSTEAD OF MAINTAINING A JOURNAL AS REQUIRED BY SUBSECTION (1) OF THIS SECTION, A NOTARY PUBLIC MAY MAINTAIN THE ORIGINAL OR A COPY, INCLUDING AN ELECTRONIC RECORD, OF A DOCUMENT THAT CONTAINS THE INFORMATION OTHERWISE REQUIRED TO BE ENTERED IN THE NOTARY'S JOURNAL IF THE NOTARY'S FIRM OR EMPLOYER RETAINS THE ORIGINAL, COPY, OR ELECTRONIC RECORD IN THE REGULAR COURSE OF BUSINESS.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-251 by Senator(s) Tate; --Concerning access to the department of revenue's records concerning ownership interests in motor vehicles by certain state-regulated entities.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 28, page(s) 598-599 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Tate.

Amend the Business, Labor, & Technology Committee report, dated March 27, 2017, page 1, strike lines 4 through 22.

Strike page 2.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-247 by Senator(s) Priola, Scott, Jahn, Martinez Humenik; --Concerning the qualifications of electricians, and, in connection therewith, allowing only persons who have passed the written residential wireman's examination to act as residential inspectors and waiving the continuing education requirement during the first license period for an electrician who passed the appropriate written examination.

Laid over until Friday, March 31, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Neville, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-232 as amended, SB17-132 as amended, SB17-251 as amended, HB17-1138.
Laid over until Friday, March 31: SB17-247.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (SJR17-027) of Thursday, March 30, 2017, was laid over until Friday, March 31, 2017, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-112 by Senator(s) Neville T., Court, Hill, Jahn, Kerr, Tate, Smallwood; also Representative(s) Pabon, Covarrubias, Lawrence, Thurlow, Van Winkle, Leonard, Liston--Concerning a clarification of the effect of statutes of limitations on the dispute resolution process when a taxpayer owes sales or use tax to one local government but has erroneously paid the disputed tax to another local government.

Senator Neville moved that the Senate concur in House amendments to **SB17-112**, as printed in House journal, March 28, page 650. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Cooke.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2020:

Jessica Pocock of Colorado Springs, Colorado, to serve as a representative of the community at large and as an Unaffiliated, and occasioned by the resignation of Pankaj Sharma of Boulder, Colorado, appointed.

for a term expiring March 13, 2021:

Miguel “Michael” Rene Elias of Pueblo West, Colorado to serve as a member of the community at large, and as a Republican, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1230, amended as printed in House Journal, March 30, 2017.

RECONSIDERATION OF HOUSE AMENDMENTS TO SB17-036

SB17-036 by Senator(s) Scott and Coram; also Representative(s) Arndt and Becker J.--Concerning the appellate process governing a district court's review of final agency actions concerning groundwater.

Having voted on the prevailing side, Senator Coram moved for reconsideration of the last Senate action, that the Senate not concur in House amendments to **SB17-036**, as printed in House journal, March 24, page 615, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

Having voted on the prevailing side, Senator Sonnenberg moved for reconsideration of the last Senate action, that the Senate concur in House amendments to **SB17-036**, as printed in House journal, March 24, page 615.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS (cont'd)

SB17-036 by Senator(s) Scott and Coram; also Representative(s) Arndt and Becker J.--Concerning the appellate process governing a district court's review of final agency actions concerning groundwater.

Senator Coram moved that the Senate concur in House amendments to **SB17-036**, as printed in House journal, March 24, page 615. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Donovan and Kagan.

Senate in recess. Senate reconvened.

MESSAGE FROM THE REVISOR OF STATUTES

March 30, 2017

We herewith transmit:

Without comment, as amended, HB17-1230.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR17-028 by Senator(s) Gardner; also Representative(s) Carver and Weissman--Concerning the recognition of the 33rd Space Symposium and celebrating the premier United States policy and program forum.

Laid over until Monday, April 3, retaining its place on the calendar.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, March 31, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

80th Legislative Day Friday, March 31, 2017

Prayer — By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Moreno.
Present later--1, Moreno.

Quorum — The President announced a quorum present.

Pledge — By Senator Coram.

Reading of the Journal — On motion of Senator Williams, reading of the Journal of Thursday, March 30, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SJR17-028.
Correctly Engrossed: SB17-132, 232, and 251.
Correctly Reengrossed: SB17-214, 233, 239, 241, 244, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266.
Correctly Revised: HB17-1138.
Correctly Rerevised: HB17-1194.
Correctly Enrolled: SB17-036 and 112.

MESSAGE FROM THE GOVERNOR

March 30, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-033: CONCERNING THE AUTHORITY OF A PROFESSIONAL NURSE TO DELEGATE DISPENSING AUTHORITY FOR OVER-THE-COUNTER MEDICATIONS.

Approved March 30, 2017 at 3:38 pm

SB17-110: CONCERNING EXPANDING THE NUMBER OF UNRELATED CHILDREN TO NO MORE THAN FOUR TO QUALIFY FOR LICENSE-EXEMPT FAMILY CHILD CARE.

Approved March 30, 2017 at 3:54 pm

SB17-123: CONCERNING A HIGH SCHOOL DIPLOMA ENDORSEMENT FOR BILITERACY.

Approved March 30, 2017 at 3:48 pm

SB17-024: CONCERNING THE HEARSAY EXCEPTION FOR PERSONS WITH AN INTELLECTUAL AND DEVELOPMENTAL DISABILITY WHEN A DEFENDANT IS CHARGED WITH A CRIME AGAINST AN AT-RISK PERSON.

Approved March 30, 2017 at 3:43 pm

SB17-122: CONCERNING THE DUTIES OF THE FALLEN HEROES MEMORIAL COMMISSION, AND, IN CONNECTION THEREWITH, REPEALING THE COMMISSION AND SHIFTING ALL REMAINING RESPONSIBILITIES TO THE STATE CAPITOL BUILDING ADVISORY COMMITTEE.

Approved March 30, 2017 at 4:00 pm

SB17-134: CONCERNING THE EXCLUSION OF CERTAIN AREAS OF AN ALCOHOL BEVERAGE LICENSEE'S OPERATION IN THE APPLICATION OF PENALTIES FOR CERTAIN VIOLATIONS.

Approved March 30, 2017 at 4:05 pm

SB17-124: CONCERNING A CORRECTION TO THE "COLORADO UNIFORM TRUST DECANTING ACT".

Approved March 30, 2017 at 4:09 pm

SB17-073: CONCERNING PROMOTION OF THE RUNYON-FOUNTAIN LAKES STATE WILDLIFE AREA.

Approved March 30, 2017 at 4:16 pm

SB17-031: CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE DEPARTMENT OF CORRECTIONS TO THE GENERAL ASSEMBLY.

Approved March 30, 2017 at 4:17 pm

SB17-194: CONCERNING AN EXCEPTION TO THE STATUTORY DEADLINES FOR MAKING INCOME TAX REFUNDS FOR RETURNS SUSPECTED OF REFUND-RELATED FRAUD.

Approved March 30, 2017 at 4:17 pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

July 22, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and reappoint and submit to your consideration, the following:

MEMBERS OF THE
COLORADO HEALTH FACILITIES
AUTHORITY BOARD OF DIRECTORS

for terms expiring June 30, 2020:

Beverly Kay Sloan of Denver, Colorado, a Democrat, appointed;

Don Willis Marostica of Loveland, Colorado, a Republican, reappointed;

Kathryn S. Kanda of Denver, Colorado, a Democrat, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

November 4, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint, and submit to your consideration, the following:

MEMBERS OF THE
COLORADO CHILDREN'S TRUST FUND BOARD

for a term expiring November 7, 2017:

Deborah J. Kenny, PhD, RN, FAAN of Larkspur, Colorado, to serve as a member with knowledge of child abuse prevention, and occasioned by the resignation of Gregory Jackson Tung, PhD, MPH of Denver, Colorado, appointed;

for terms expiring November 7, 2019:

Jennifer N. Kelloff, MD of Arvada, Colorado, to serve as a member with knowledge of child abuse prevention, reappointed;

Lisa A. Merlino Hill of Broomfield, Colorado, to serve as a member with knowledge of child abuse prevention, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

December 21, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBERS OF THE
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for terms expiring November 1, 2020:

Ralph Paul Youngs of Steamboat Springs, Colorado, an Unaffiliated residing in the Third Congressional District, appointed;

Virginia "Ginny" Vietti of Frisco, Colorado, a Democrat residing in the Second Congressional District, reappointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf of
the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 1/4/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

May 20, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint, and submit to your consideration, the following:

MEMBERS OF THE
HOSPITAL PROVIDER FEE
OVERSIGHT AND ADVISORY BOARD

for a term expiring May 15, 2019:

Peggy Jordan Burnette of Denver, Colorado, an employee of a hospital in Colorado, reappointed;

for terms expiring May 15, 2020

Dan E. Enderson of Castle Rock, Colorado, an employee of a hospital in Colorado, reappointed;

George Montgomery O'Brien of Pueblo, Colorado, a person with a disability, who is living with a disability, and who is not a representative or an employee of a hospital, health insurance carrier, or other health care industry entity, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

August 8, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
HOSPITAL PROVIDER FEE
OVERSIGHT AND ADVISORY BOARD

for a term expiring May 15, 2019:

Kimberly Gaye Monjesky of Woodland Park, Colorado, an employee of a rural hospital in Colorado, and occasioned by the resignation of John Robert Gardner, FACHE of Yuma, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

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:

SB17-071 by Senator(s) Tate; --Concerning reductions in early voting period requirements for voter service and polling centers used in general elections, and, in connection therewith, adjusting requirements and reallocating resources as a result of savings from those reductions.

Laid over until Friday, April 7, retaining its place on the calendar.

SB17-252 by Senator(s) Tate; also Representative(s) Coleman and Liston--Concerning the authority of a board of any political subdivision to enter into contracts for utility cost savings.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Jones, Kefalas, and Moreno.

HB17-1115 by Representative(s) Buck and Ginal, McKean; also Senator(s) Kefalas and Tate--Concerning the establishment of direct primary health care agreements to operate without regulation by the division of insurance.

Laid over until Monday, April 3, retaining its place on the calendar.

SB17-237 by Senator(s) Gardner and Marble; also Representative(s) Nordberg and Garnett--Concerning the age of employees permitted to sell alcohol beverages at specified establishments licensed to sell alcohol beverages for consumption on the licensed premises.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Grantham, Hill, Holbert, Kefalas, Moreno, Neville T., Priola, Scott, Smallwood, Tate, Todd, and Williams A.

HB17-1184 by Representative(s) Duran; also Senator(s) Grantham--Concerning developing additional resources for modern technology education in public schools.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Tate, Todd, Williams A., and Zenzinger.

HB17-1138 by Representative(s) Salazar, Herod, Rosenthal, Esgar, Melton, Jackson, Pabon, Gray, Ginal, Mitsch Bush, Valdez, Hansen, Buckner, Coleman, Danielson, Exum, Hooton, Lontine, McLachlan, Michaelson Jenet, Pettersen, Winter; also Senator(s) Williams A.--Concerning the reporting of hate crimes by law enforcement agencies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Garcia, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Todd, and Zenzinger.

SB17-232 by Senator(s) Fenberg, Court; also Representative(s) Rosenthal--Concerning continuation under the sunset law of the bingo-raffle advisory board, and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields, Guzman, Merrifield, and Tate.

SB17-132 by Senator(s) Gardner; also Representative(s) Wist--Concerning enactment of the "Revised Uniform Law on Notarial Acts" as amended.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Grantham, Hill, Neville T., and Tate.

SB17-251 by Senator(s) Tate; also Representative(s) Arndt and Liston--Concerning access to the department of revenue's records concerning ownership interests in motor vehicles by certain state-regulated entities.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Grantham, Hill, Holbert, Jahn, Priola, Scott, and Smallwood.

Committee of the Whole

On motion of Senator Martinez Humenik, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Martinez Humenik was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.

Laid over until Monday, April 3, retaining its place on the calendar.

HB17-1123 by Representative(s) Lebsock and Thurlow, Neville P., Humphrey, Melton, Singer, Leonard; also Senator(s) Marble, Holbert--Concerning the ability of a local government to extend the hours during which alcohol beverages may be sold for consumption on a licensed premises.

Laid over until Friday, April 7, retaining its place on the calendar.

HB17-1110 by Representative(s) Beckman; also Senator(s) Todd--Concerning juvenile court jurisdiction regarding matters related to parental responsibilities in a juvenile delinquency case.

Laid over until Monday, April 3, retaining its place on the calendar.

SB17-204 by Senator(s) Priola; also Representative(s) Lawrence, Garnett--Concerning the improper denial of property and casualty insurance claims.

Amendment No. 1(L.001), by Senator Priola.

Amend printed bill, page 2, strike line 3 and substitute "(1)(b); and **add** (2.3) and (8) as follows:".

Page 2, line 10, strike "policy;" and substitute "policy OR ANY PERSON DEFINED AS AN INSURED UNDER THE INSURANCE POLICY;".

Page 3, line 6, strike "OR".

Page 3, line 8, strike "PROVIDER." and substitute "PROVIDER; OR".

Page 3, strike lines 9 through 27.

Page 4, strike line 1 and substitute:

"(E) AN ADDITIONAL INSURED ADDED TO THE POLICY BY ENDORSEMENT.

(2.3) FOR THE PURPOSES OF A PROPERTY AND CASUALTY CAUSE OF ACTION AND REMEDIES CREATED BY THIS SECTION, WHETHER OR NOT IT HAS BEEN AWARDED OR IS DUE, THE REMEDY SHALL NOT BE ASSIGNABLE BY THE FIRST-PARTY CLAIMANT OR ANYONE ACTING ON THE FIRST-PARTY CLAIMANT'S BEHALF.

(8) THIS SECTION AND SECTION 10-3-1116 DO NOT APPLY TO A SURETY BOND ISSUED PURSUANT TO THIS TITLE.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-247 by Senator(s) Priola, Scott, Jahn, Martinez Humenik; --Concerning the qualifications of electricians, and, in connection therewith, allowing only persons who have passed the written residential wireman's examination to act as residential inspectors and waiving the continuing education requirement during the first license period for an electrician who passed the appropriate written examination.

Laid over until Monday, April 3, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Martinez Humenik, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-204 as amended.
Laid over until Monday, April 3: SB17-138, HB17-1110, SB17-247.
Laid over until Friday, April 7: HB17-1123.

CONSIDERATION OF RESOLUTIONS

SJR17-027 by Senator(s) Guzman and Tate; also Representative(s) Duran and Beckman--Concerning recognition of the need to expand access to effective treatment for stroke patients.

Laid over until Wednesday, April 19, retaining its place on the calendar.

MESSAGE FROM THE HOUSE

March 31, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1021, as printed in House Journal, March 31, 2017.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR17-1021 by Representative(s) Pabon and Benavidez, Herod, Valdez, Duran, Gray, Kraft-Tharp, Salazar; also Senator(s) Aguilar and Moreno, Garcia, Guzman--Concerning recognition of "César Chávez Day" and honoring Dolores Huerta.

On motion of Senator Aguilar, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

March 31, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1242, amended as printed in House Journal, March 30, 2017.

The House has passed on Third Reading and returns herewith SB17-230.

MESSAGE FROM THE REVISOR OF STATUTES

March 31, 2017

We herewith transmit:

With comment, as amended, HB17-1242.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB17-275 by Senator(s) Baumgardner and Jahn; --Concerning marijuana, and, in connection therewith, authorizing research regarding the safety and efficacy of medical marijuana and the safe and effective use of pesticides and establishing interim standards for the use of pesticides.
Agriculture, Natural Resources, & Energy

SB17-276 by Senator(s) Neville T.; also Representative(s) Neville P.--Concerning methods to alleviate the fiscal impact of state regulations on small businesses, and, in connection therewith, enacting the "Regulatory Relief Act of 2017".
Business, Labor, & Technology

SB17-277 by Senator(s) Marble, Cooke, Neville T.; also Representative(s) Leonard, Humphrey--Concerning the application of foreign laws in Colorado courts.
Judiciary

SB17-278 by Senator(s) Coram; also Representative(s) Ginal--Concerning a prohibition against engaging in a nuisance exhibition of motor vehicle exhaust.
Transportation

SB17-279 by Senator(s) Zenzinger and Martinez Humenik; also Representative(s) Beckman and Gray--Concerning clarification of the applicability provisions of recent legislation to promote an equitable financial contribution among affected public bodies in connection with urban redevelopment projects allocating tax revenues.
Local Government

SB17-280 by Senator(s) Tate; also Representative(s) Kraft-Tharp and Thurlow, Hamner--Concerning extending the repeal date of the Colorado economic development commission.
Business, Labor, & Technology

HB17-1003 by Representative(s) McLachlan; also Senator(s) Coram--Concerning a strategic action plan to address teacher shortages in Colorado.
Education

HB17-1203 by Representative(s) Lebsock; also Senator(s) Martinez Humenik and Crowder--Concerning the authority of certain local governments to levy a special sales tax on retail marijuana in certain circumstances subject to voter approval by the eligible electors of the local government.
Local Government

HB17-1242 by Representative(s) Duran and Mitsch Bush; also Senator(s) Grantham and Baumgardner--Concerning transportation funding, and in connection therewith, making an appropriation.
Transportation

HB17-1246 by Representative(s) Kraft-Tharp; also Senator(s) Tate and Garcia--Concerning implementation of the STEMI task force recommendations relating to reporting confirmed heart attack incidents in the state.
Health & Human Services

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-142, 146, 154, 177, and 178.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, April 3, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

83rd Legislative Day — Monday, April 3, 2017

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Friday, March 31, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB17-275, 276, 277, 278, 279, and 280.
Correctly Engrossed: SB17-204.
Correctly Reengrossed: SB17-132, 232, 237, 251, and 252.
Correctly Revised: HJR17-1021.
Correctly Rerevised: HB17-1138 and 1184.
Correctly Enrolled: SB17-230.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-028 by Senator(s) Gardner; also Representative(s) Carver and Weissman--Concerning the recognition of the 33rd Space Symposium and celebrating the premier United States policy and program forum.

Amendment No. 1(L.001), by Senator Gardner.

Amend printed joint resolution, page 2, line 18, strike "United States" and substitute "international".

Page 1, line 102, strike "**UNITED STATES**" and substitute "**INTERNATIONAL SPACE**".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Senator Gardner, the resolution, as amended, was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

SJR17-024 by Senator(s) Jahn; also Representative(s) Singer--Concerning the designation of April 2017 as "Child Abuse Prevention Month".

On motion of Senator Jahn, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

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:

HB17-1115 by Representative(s) Buck and Ginal, McKean; also Senator(s) Kefalas and Tate--Concerning the establishment of direct primary health care agreements to operate without regulation by the division of insurance.

A majority of those elected to the Senate having voted in the affirmative, Senator Tate was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.005), by Senator Tate.

Amend revised bill, page 2, strike lines 16 through 19 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, **add** article 23 to title 6 as follows:

ARTICLE 23
Direct Primary Care

6-23-101. Definitions. (1) AS USED IN THIS SECTION:".

Page 4, strike line 10 and substitute:

"**6-23-102. Direct primary care - not regulated by the division of insurance.** (1) DIRECT PRIMARY CARE IS NOT INSURANCE AND IS NOT".

Page 4, line 12, strike "(b)" and substitute "(2)".

Page 4, line 16, strike "(c)" and substitute "(3).

Page 4, line 19, strike "(d)" and substitute "(4)".

Page 4, strike line 23 and substitute:

"**6-23-103. Direct primary care provider rights.** (1) A DIRECT PRIMARY CARE PROVIDER MAY:".

Page 5, strike line 4 and substitute:

"**6-23-104. Direct primary care providers - prohibitions.** (1) A DIRECT PRIMARY CARE PROVIDER MAY NOT DISCRIMINATE".

Page 5, line 9, strike "(b)" and substitute "(2)".

Page 5, line 11, strike "(5)" and substitute "(3)".

Page 5, after line 13, insert:

"**6-23-105. Enforcement.** THIS ARTICLE 23 IS NOT SUBJECT TO ENFORCEMENT BY THE ATTORNEY GENERAL OR THE DISTRICT ATTORNEY PURSUANT TO THIS TITLE 6.".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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: Baumgardner, Cooke, Coram, Court, Crowder, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Sonnenberg, Todd, Williams A., and Zenzinger.

SB17-204 by Senator(s) Priola; also Representative(s) Lawrence, Garnett--Concerning the improper denial of property and casualty insurance claims.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Gardner, Grantham, Holbert, Marble, Neville T., Scott, Smallwood, and Tate.

Committee of the Whole

On motion of Senator Gardner, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gardner was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.

Laid over until Friday, April 7, retaining its place on the calendar.

HB17-1110 by Representative(s) Beckman; also Senator(s) Todd--Concerning juvenile court jurisdiction regarding matters related to parental responsibilities in a juvenile delinquency case.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-247 by Senator(s) Priola, Scott, Jahn, Martinez Humenik; --Concerning the qualifications of electricians, and, in connection therewith, allowing only persons who have passed the written residential wireman's examination to act as residential inspectors and waiving the continuing education requirement during the first license period for an electrician who passed the appropriate written examination.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 28, page 599 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Priola.

Amend the Business, Labor, and Technology Committee Report, dated March 27, 2017, page 1, line 3, strike "2018;" and substitute "2019;".

Page 1 of the report, strike lines 9 and 10 and substitute "2018 and, in such case, will take effect on January 1, 2019, or on the date of the official declaration of the vote thereon by the governor, whichever is later.".

Amend printed bill, page 3, strike lines 5 through 11 and substitute "competent persons with the following qualifications:

(A) Persons who have passed the written residential wireman's

examination described in section 12-23-106; or

(B) Persons EMPLOYED BY ANY CITY, TOWN, COUNTY, OR CITY AND COUNTY ON OR BEFORE JANUARY 1, 2019, who have been certified as residential electrical inspectors by a national certification authority approved by the board and who have furnished satisfactory evidence of at least two years' practical experience in the electrical inspection of residential dwellings. THIS SUBSECTION (1)(a)(I)(B) IS REPEALED, EFFECTIVE JANUARY 1, 2023.".

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 Gardner, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-247 as amended, HB17-1110.
Laid over until Friday, April 7: SB17-138

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

March 2, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBER OF THE
BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM

for a term expiring December 31, 2020:

Kimberley Beth Jordan of Fort Collins, Colorado, a Larimer County resident and a Democrat, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/7/2017
Effie Ameen, Secretary of the Senate

Committee on Education

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJM17-002; SB17-230.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, April 3, 2017, at 9:00 a.m.:
SB17-142, 146, 154, 177, 178, and 230.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB17-281 by Senator(s) Neville T. and Marble, Cooke, Baumgardner, Holbert, Lambert, Lundberg, Scott, Smallwood, Sonnenberg; also Representative(s) Williams D. and Covarrubias, Beckman, Humphrey, Leonard, Lewis, Lundeen, Navarro, Neville P., Nordberg, Ransom, Saine, Sias, Van Winkle--Concerning holding Colorado government accountable for creating sanctuary jurisdiction policies.
Judiciary

SB17-282 by Senator(s) Sonnenberg; also Representative(s) McKean and Esgar--Concerning the dedication of reservoir releases for environmental purposes.
Agriculture, Natural Resources, & Energy

SB17-283 by Senator(s) Lundberg, Cooke, Hill, Lambert, Neville T., Sonnenberg; --Concerning a clarification of the distinction between discrimination and the fundamental right to disagree in the law regarding discrimination in places of public accommodation.
State, Veterans, & Military Affairs

SB17-284 by Senator(s) Marble and Lundberg, Neville T.; also Representative(s) Saine and Ransom--Concerning the creation of the "Women's Reproductive Information Guarantee for Health and Transparency (RIGHT) Act".
State, Veterans, & Military Affairs

HB17-1230 by Representative(s) Salazar and Esgar, Duran, Herod, Melton, Winter, Foote, Mitsch Bush, Buckner, Arndt, Becker K., Benavidez, Bridges, Coleman, Danielson, Exum, Garnett, Ginal, Gray, Hamner, Hansen, Hooton, Jackson, Kennedy, Lebsock, Lee, Lontine, Michaelson Jenet, Pabon, Pettersen, Rosenthal, Singer, Valdez, Weissman, Young; also Senator(s) Guzman and Kagan, Court, Aguilar, Fields, Jones, Kefalas, Merrifield, Moreno, Williams A.--Concerning protection for Colorado residents from federal government overreach based on a person's status.
Judiciary

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, April 4, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

84th Legislative Day Tuesday, April 4, 2017

Prayer — By the chaplain, Dr. Don Sweeting, President of Colorado Christian University, Lakewood.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--29
Excused--6, Aguilar, Hill, Kagan, Martinez Humenik, Priola, Todd.
Present later--5, Hill, Kagan, Martinez Humenik, Priola, Todd.

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Monday, April 3, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

COMMITTEE OF REFERENCE REPORTS

Judiciary — After consideration on the merits, the Committee recommends that **SB17-222** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-223** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-224** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-225** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-226** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **SB17-227** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that **SB17-228** 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: SB17-281, 282, 283, and 284.
Correctly Engrossed: SB17-247; SJR17-024 and 028.
Correctly Reengrossed: SB17-204.
Correctly Revised: HB17-1110.
Correctly Rerevised: HB17-1115.
Correctly Enrolled: SB17-068, 137, 152, and 179.

MESSAGE FROM THE HOUSE

April 3, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1217, 1172.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1057, amended as printed in House Journal, March 31, 2017.
HB17-1270, amended as printed in House Journal, March 31, 2017.
HB17-1280, amended as printed in House Journal, March 31, 2017.
HB17-1206, amended as printed in House Journal, March 31, 2017.
HB17-1200, amended as printed in House Journal, March 31, 2017.
HB17-1176, amended as printed in House Journal, March 31, 2017.
HB17-1113, amended as printed in House Journal, March 31, 2017.
HB17-1150, amended as printed in House Journal, March 31, 2017.
HB17-1045, amended as printed in House Journal, March 31, 2017.
HB17-1087, amended as printed in House Journal, March 31, 2017.

The House has passed on Third Reading and returns herewith SB17-068, 137, 152, 179.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-108, amended as printed in House Journal, March 31, 2017.

The House has adopted and returns herewith SJR17-024, 028.

MESSAGE FROM THE REVISOR OF STATUTES

April 3, 2017

We herewith transmit:

Without comment, HB17-1172 and 1217.
Without comment, as amended, HB17-1045, 1057, 1087, 1113, 1150, 1176, 1200, 1206, 1270, and 1280.
Without comment, as amended, SB17-108.

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:

HB17-1110 by Representative(s) Beckman; also Senator(s) Todd--Concerning juvenile court jurisdiction regarding matters related to parental responsibilities in a juvenile delinquency case.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	E	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fields, Kerr, Merrifield, and Williams A.

SB17-247 by Senator(s) Priola, Scott, Jahn, Martinez Humenik; also Representative(s) Pabon--Concerning the qualifications of electricians, and, in connection therewith, allowing only persons who have passed the written residential wireman's examination to act as residential inspectors and waiving the continuing education requirement during the first license period for an electrician who passed the appropriate written examination.

Laid over until Wednesday, April 5, retaining its place on the calendar.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-065, 097, and 100.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

April 4, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1253, 1258, 1222, 1227, 1269, 1272, 1238, 1239, 1240, 1241, 1244, 1245.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1165, amended as printed in House Journal, April 3, 2017.
HB17-1175, amended as printed in House Journal, April 3, 2017.
HB17-1267, amended as printed in House Journal, April 3, 2017.
HB17-1223, amended as printed in House Journal, April 3, 2017.
HB17-1231, amended as printed in House Journal, April 3, 2017.
HB17-1243, amended as printed in House Journal, April 3, 2017.

The House has passed on Third Reading and returns herewith SB17-088, 190.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB17-213, amended as printed in House Journal, April 3, 2017.
SB17-139, amended as printed in House Journal, April 3, 2017.
SB17-115, amended as printed in House Journal, April 3, 2017.
SB17-189, amended as printed in House Journal, April 3, 2017.

The House has adopted and transmits herewith HJR17-1022, as printed in House Journal, April 4, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

April 4, 2017

We herewith transmit:

Without comment, HB17-1222, 1227, 1238, 1239, 1240, 1241, 1244, 1245, 1253, 1258, 1269, and 1272.
Without comment, as amended, HB17-1165, 1175, 1223, 1231, 1243, and 1267.
Without comment, as amended, SB17-115, 139, 189, and 213.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR17-029 by Senator(s) Tate and Fields; also Representative(s) Wist and Buckner--Concerning the designation of May 2, 2017, as "Children's Health Day" in Colorado.

Laid over until Thursday, April 6, retaining its place on the calendar.

SJR17-030 by Senator(s) Martinez Humenik and Kefalas; also Representative(s) Landgraf and Ginal--Concerning the designation of August 2017 as "Spinal Muscular Atrophy Awareness Month" in Colorado.

Laid over until Monday, May 1, retaining its place on the calendar.

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SJM17-003 by Senator(s) Garcia and Cooke; also Representative(s) Pettersen and Lawrence--Concerning the designation of "First Responder Appreciation Day".

Laid over one day under Senate Rule 30(d).

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, April 4, 2017, at 11:03 a.m.:
SB17-065, 097, and 100.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, April 5, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

85th Legislative Day Wednesday, April 5, 2017

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community: A Mennonite Congregation, Littleton.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Baumgardner.

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Tuesday, April 4, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance — The Committee on Finance 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 LOTTERY COMMISSION

for a term expiring July 1, 2020:

Stella Peterson of Arvada, Colorado, to serve as a member of the public and as a Democrat, reappointed.

Finance — After consideration on the merits, the Committee recommends that **HB17-1218** 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 **SB17-240** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 26, line 26, after "(8)" insert "(a)".

Page 27, strike lines 1 and 2 and substitute "SET OF FINGERPRINTS TO THE COLORADO BUREAU OF INVESTIGATION FOR THE".

Page 27, strike lines 7 through 10 and substitute "CHECKS. THE BOARD SHALL USE ".

Page 27, after line 17 insert:

"(b) THIS SUBSECTION (8) DOES NOT APPLY TO A PUBLICLY TRADED COMPANY OR THE COMPANY'S SUBSIDIARY.".

Page 43, line 18, after "(8)" insert "(a)".

Page 43, strike lines 20 and 21 and substitute "SET OF FINGERPRINTS TO THE COLORADO BUREAU OF INVESTIGATION FOR THE".

Page 43 strike lines 26 and 27 and substitute "CHECKS. THE BOARD SHALL USE".

Page 44 strike lines 1 and 2.

Page 44, after line 9 insert:

"(b) THIS SUBSECTION (8) DOES NOT APPLY TO A PUBLICLY TRADED COMPANY OR THE COMPANY'S SUBSIDIARY.".

Finance

After consideration on the merits, the Committee recommends that **SB17-238** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, strike lines 2 and 3 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 39-21-112, **amend** (3.5)(d)(I)(B); **repeal** (3.5)(d)(II) and (3.5)(d)(III)(B); and **add** (3.5)(e) as follows:".

Page 3, after line 6 insert:

"(e) (I) IN ORDER TO PROPERLY EDUCATE COLORADO TAXPAYERS OF THEIR OBLIGATION TO PAY SALES TAX ON INTERNET PURCHASES, THE DEPARTMENT SHALL CREATE A "KNOW WHAT YOU OWE" EDUCATIONAL CAMPAIGN ON THEIR WEBSITE COMMENCING ON THE EFFECTIVE DATE OF THIS SUBSECTION (3.5)(e) THROUGH JULY 2021. THE CAMPAIGN MUST EXPLAIN THAT PURCHASING ITEMS FROM AN OUT-OF-STATE RETAILER SUCH AS THOSE PURCHASED OVER THE INTERNET OR BY CATALOG MAY REQUIRE TAXES TO BE PAID TO THE STATE AND CERTAIN SPECIAL DISTRICTS ON THE PURCHASE PRICE. THE CAMPAIGN MUST ALSO DISPLAY THE "SPECIAL DISTRICT RATES AND BOUNDARIES TABLE". THE CAMPAIGN MUST BE WRITTEN AT AN 8TH GRADE READING LEVEL SO ALL TAXPAYERS CAN UNDERSTAND HOW TO CALCULATE THE TAXES THEY OWE ON THEIR OUT-OF-STATE RETAIL PURCHASES FROM ONLINE AND BY CATALOG RETAILERS THAT DO NOT COLLECT COLORADO SALES TAX.

(II) COMMENCING WITH THE 2018 COLORADO INCOME TAX FILING GUIDE BOOKLET, AND EACH INCOME TAX FILING GUIDE BOOKLET THEREAFTER, THE DEPARTMENT SHALL ADD A DEDICATED "KNOW WHAT YOU OWE" SECTION TO EACH BOOKLET SENT TO ALL TAXPAYERS. THE "KNOW WHAT YOU OWE" SECTION MUST EXPLAIN THAT PURCHASING ITEMS FROM AN OUT-OF-STATE RETAILER OVER THE INTERNET OR BY CATALOG MAY REQUIRE TAXES TO BE PAID TO THE STATE AND CERTAIN SPECIAL DISTRICTS ON THE PURCHASE PRICE. THE SECTION MUST ALSO INCLUDE THE "SPECIAL DISTRICT RATES AND BOUNDARIES TABLE". THE SECTION MUST BE WRITTEN AT AN 8TH GRADE READING LEVEL SO ALL TAXPAYERS CAN UNDERSTAND HOW TO CALCULATE THE TAXES THEY OWE ON THEIR OUT-OF-STATE RETAIL PURCHASES FROM ONLINE AND BY CATALOG RETAILERS THAT DO NOT COLLECT COLORADO SALES TAX.".

Page 3, strike lines 7 through 19 and substitute:

"**SECTION 2. Applicability.** This act applies to all purchases made by Colorado purchasers on or after the effective date of this act from each retailer that does not collect Colorado sales tax.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

Trans-portation

After consideration on the merits, the Committee recommends that **SB17-211** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 2 through 17 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 43-1-116, **add** (4) as follows:

43-1-116. Engineering, design, and construction division - created - duties. (4) IF, IN RESPONSE TO A SOLICITATION ISSUED BY THE DEPARTMENT, A CONTRACTOR IS REQUIRED TO SECURE A BID IN THE FORM OF A BOND AND THE CONTRACTOR CAN FURNISH SUCH BOND IN THE AMOUNT REQUIRED BY THE SOLICITATION OR IN THE AMOUNT OTHERWISE REQUIRED BY LAW, THE DEPARTMENT SHALL NOT ELIMINATE THE CONTRACTOR FROM CONSIDERATION OF AN AWARD ON THE BASIS OF ANY FINANCIAL STATEMENT THAT THE CONTRACTOR SUBMITTED TO THE DEPARTMENT FOR THE DEPARTMENT'S CONTRACTOR PREQUALIFICATION DETERMINATION PROCESS. THE PROVISIONS OF THIS SECTION APPLY REGARDLESS OF WHETHER THE CONTRACTOR'S FINANCIAL STATEMENT SUBMITTED FOR PREQUALIFICATION PURPOSES INDICATES THAT THE CONTRACTOR MAY NOT BE ABLE TO PERFORM THE APPLICABLE CONTRACT TO THE LEVEL AND AMOUNT REFLECTED IN THE BOND.".

Trans-portation

After consideration on the merits, the Committee recommends that **SB17-205** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SJM17-003; SJR-029 and 030.
Correctly Rerevised: HB17-1110.
Correctly Enrolled: SB17-088 and 190.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Coram, Chair, Scott, and Aguilar were appointed as Senate conferees on the first conference committee on **SB17-106**.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order to consider a memorial.

CONSIDERATION OF MEMORIALS

SJM17-003 by Senator(s) Garcia and Cooke; also Representative(s) Pettersen and Lawrence--Concerning the designation of "First Responder Appreciation Day".

On motion of Senator Cooke, the memorial was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

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:

SB17-247 by Senator(s) Priola, Scott, Jahn, Martinez Humenik; also Representative(s) Pabon--Concerning the qualifications of electricians, and, in connection therewith, allowing only persons who have passed the written residential wireman's examination to act as residential inspectors and waiving the continuing education requirement during the first license period for an electrician who passed the appropriate written examination.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	7	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jones.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB17-222, SB17-223, SB17-224, SB17-225, SB17-226, SB17-227, and SB17-228 were made Special Orders -- Consent Calendar at 9:37 a.m.

Committee of the Whole

The hour of 9:37 a.m. having arrived, Senator Kefalas 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 Kefalas 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:

SB17-222 by Senator(s) Cooke, Gardner, Guzman, Holbert, Kagan; also Representative(s) Willett, Foote, Herod, Lee, Wist--Concerning the nonsubstantive relocation of the laws related to fireworks from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-223 by Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan; also Representative(s) Herod, Foote, Lee, Willett, Wist--Concerning the nonsubstantive relocation of laws related to the treatment of human bodies after death from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-224 by Senator(s) Kagan, Cooke, Gardner, Guzman, Holbert; also Representative(s) Lee, Foote, Herod, Willett, Wist--Concerning the nonsubstantive relocation of laws related to commercial driving schools from title 12 of the Colorado Revised Statutes as part of the organizational recodification of title 12.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-225 by Senator(s) Cooke, Gardner, Guzman, Holbert, Kagan; also Representative(s) Willett, Foote, Herod, Lee, Wist--Concerning the nonsubstantive relocation of laws related to farm products from title 12 of the Colorado Revised Statutes as part of the organizational recodification of title 12.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-226 by Senator(s) Kagan, Cooke, Gardner, Guzman, Holbert; also Representative(s) Foote, Herod, Lee, Willett, Wist--Concerning the nonsubstantive relocation of laws related to the regulation of financial institutions from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-227 by Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan; also Representative(s) Foote, Herod, Lee, Willett, Wist--Concerning the nonsubstantive relocation of laws related to attorneys-at-law from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-228 by Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan; also Representative(s) Wist, Foote, Herod, Lee, Willett--Concerning the nonsubstantive relocation of the laws related to licenses granted by local governments from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Kefalas, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-222, SB17-223, SB17-224, SB17-225, SB17-226, SB17-227, SB17-228.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-108 by Senator(s) Crowder, Aguilar, Kefalas; also Representative(s) Buckner--Concerning continuation of the regulation of speech-language pathologists by the director of the division of professions and occupations, and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies.

Senator Crowder moved that the Senate concur in House amendments to **SB17-108**, as printed in House journal, March 31, page 702. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-213 by Senator(s) Hill and Moreno; also Representative(s) Winter and Bridges, Lundeen--Concerning authorization for automated driving systems to control motor vehicles throughout Colorado.

Laid over until Thursday, April 6, retaining its place on the calendar.

SB17-139 by Senator(s) Hill and Williams A.; also Representative(s) Pabon--Concerning the extension of the credit for tobacco products that a distributor ships or transports to an out-of-state consumer.

Senator Williams moved that the Senate concur in House amendments to **SB17-139**, as printed in House journal, April 3, page 727. The motion was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	N
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Lambert and Tate.

SB17-115 by Senator(s) Cooke; also Representative(s) Willett and Foote--Concerning possession of sexually exploitative material by persons involved in sexually exploitative material cases.

Senator Cooke moved that the Senate concur in House amendments to **SB17-115**, as printed in House journal, April 3, page 735. The motion was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Gardner, Kagan, and Martinez Humenik.

SB17-189 by Senator(s) Cooke; also Representative(s) Foote--Concerning elimination of the requirement that a law enforcement agency is the only entity authorized to take fingerprints for purposes of a background check.

Senator Cooke moved that the Senate concur in House amendments to **SB17-189**, as printed in House journal, April 3, page 735. The motion was **adopted** by the following roll call vote:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	E	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Gardner and Tate.

RECONSIDERATION OF SB17-139

SB17-139 by Senator(s) Hill and Williams A.; also Representative(s) Pabon--Concerning the extension of the credit for tobacco products that a distributor ships or transports to an out-of-state consumer.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Repassage, of **SB17-139**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

REPASSAGE OF SB17-139

SB17-139 by Senator(s) Hill and Williams A.; also Representative(s) Pabon--Concerning the extension of the credit for tobacco products that a distributor ships or transports to an out-of-state consumer.

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

MESSAGE FROM THE GOVERNOR

April 4, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-015: CONCERNING THE UNLAWFUL ADVERTISING OF MARIJUANA.

Approved April 04, 2017 at 2:11pm

SB17-066: CONCERNING CLARIFYING RETROACTIVELY THE AUTHORITY OF A MUNICIPALITY TO EMPLOY A POLICE FORCE WITHOUT GOING THROUGH SUNRISE REVIEW.

Approved April 04, 2017 at 2:11pm

SB17-016: CONCERNING THE OPTIONAL CREATION OF A CHILD PROTECTION TEAM BY A COUNTY.

Approved April 04, 2017 at 2:12pm

SB17-048: CONCERNING REQUIRING AN OFFICER TO ARREST AN OFFENDER WHO ESCAPES FROM AN INTENSIVE SUPERVISION PROGRAM IN THE DEPARTMENT OF CORRECTIONS.

Approved April 04, 2017 at 1:30pm

SB17-076: CONCERNING AUTHORITY TO SPEND MONEY IN THE PUBLIC SCHOOL PERFORMANCE FUND.

Approved April 04, 2017 at 2:12pm

SB17-125: CONCERNING ALLOWING CERTAIN PERSONS WHO HAVE BEEN EXONERATED OF CRIMES TO RECEIVE IN LUMP-SUM PAYMENTS COMPENSATION THAT IS OWED TO THEM BY THE STATE.

Approved April 04, 2017 at 2:12pm

SB17-062: CONCERNING THE RIGHT TO FREE SPEECH ON CAMPUSES OF PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

Approved April 04, 2017 at 1:55pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

COMMITTEE OF REFERENCE REPORTS (cont'd)

Local Government

After consideration on the merits, the Committee recommends that **HB17-1215** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, after line 27 insert:

"(3) COUNTY SHERIFFS' OFFICES AND MUNICIPAL POLICE DEPARTMENTS THAT APPLY FOR GRANTS FROM THE GRANT PROGRAM ARE ENCOURAGED TO DO SO, TO THE EXTENT POSSIBLE, IN COLLABORATION WITH THE COMMUNITY MENTAL HEALTH CENTERS IN THEIR REGIONS.".

Renumber succeeding subsections accordingly.

Page 5, line 4, strike "(9)" and substitute "(10)".

Page 5, line 25, strike "(10)" and substitute "(11)".

Page 6, line 6, strike "(9)" and substitute "(10)".

Page 6, line 10, strike "(9)(b)" and substitute "(10)(b)".

Local Government

After consideration on the merits, the Committee recommends that **HB17-1203** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike line 5 and substitute "**election - legislative declaration - definition.** (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT THE SPECIAL SALES TAX RECOGNIZED IN THIS SECTION PERMITS COUNTIES AND STATUTORY MUNICIPALITIES TO ENACT AN ADDITIONAL TAX SPECIFIC TO THE SALE OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS, SUBJECT TO VOTER APPROVAL. THIS DISTINCT TAXING AUTHORITY IS IN ADDITION TO THE STATUTORY AUTHORITY FOR COUNTIES AND STATUTORY MUNICIPALITIES TO IMPOSE A GENERAL SALES TAX, WHILE HOME RULE MUNICIPALITIES DERIVE ALL SALES TAXING AUTHORITY FROM THE HOME RULE AUTHORITY GRANTED BY THE COLORADO CONSTITUTION.

(b) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT ANY SPECIAL SALES TAX ON RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS PROPOSED BY COUNTIES AND STATUTORY MUNICIPALITIES SHOULD TAKE INTO ACCOUNT THE TOTAL TAX RATE THAT WOULD EXIST IF THE TAX IS ADOPTED BY VOTERS. IT IS THEREFORE ALSO THE INTENT OF THE GENERAL ASSEMBLY IN ENACTING THIS SECTION TO ENSURE THAT THE

IMPOSITION OF A COUNTY SPECIAL SALES TAX WITHIN A HOME RULE MUNICIPALITY OR STATUTORY MUNICIPALITY OCCURS ONLY WHEN THE MUNICIPALITY DOES NOT HAVE ITS OWN SPECIAL SALES TAX, AND OTHERWISE ONLY AFTER AN INTERGOVERNMENTAL AGREEMENT WITH A MUNICIPALITY THAT DOES IMPOSE, OR IMPOSES AT ANY TIME, ITS OWN SPECIAL SALES TAX.

(2) FOR PURPOSES OF THIS SECTION, "SPECIAL SALES".

Renumber succeeding subsections accordingly.

Page 7, line 21, strike "(5)(b)." and substitute "(6)(b).".

Strike "(2)" and substitute "(3)" on: **Page 4,** lines 3, 7, and 25; **Page 5,** lines 14, 15, 17, and 20; and **Page 6,** line 24.

Strike "(2)(a)(II)" and substitute "(3)(a)(II)" on: **Page 4,** lines 12 and 16.

Strike "(2)(a)(III)" and substitute "(3)(a)(III)" on: **Page 4,** line 19; **Page 5,** line 8; and **Page 7,** line 4.

Strike "(3)(a)" and substitute "(4)(a)" on: **Page 6,** lines 4 and 8.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR17-024 and 028; HB17-1021, 1081, 1083, 1125, 1126, 1145, 1173, 1179, 1183, 1196, 1197, and 1198.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

April 5, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1190, amended as printed in House Journal, April 4, 2017.
HB17-1088, amended as printed in House Journal, April 4, 2017.
HB17-1263, amended as printed in House Journal, April 4, 2017.
HB17-1004, amended as printed in House Journal, April 4, 2017.
HB17-1207, amended as printed in House Journal, April 4, 2017.
HB17-1249, amended as printed in House Journal, April 4, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB17-051, amended as printed in House Journal, April 4, 2017.

The House has adopted and returns herewith SJR17-026.

The House has adopted and returns herewith SJM17-003.

MESSAGE FROM THE REVISOR OF STATUTES

April 5, 2017

We herewith transmit:

Without comment, as amended, HB17-1004, 1088, 1190, 1207, 1249, and 1263.
Without comment, as amended, SB17-051.

COMMITTEE APPOINTMENTS

April 4, 2017

Mr. Mike Mauer
Director, Legislative Council
200 E. Colfax, Rm 029
Denver, CO 80203

Dear Mr. Mauer,

Effective immediately, I am appointing Senator Owen Hill to replace Senator Ray Scott on the Senate State, Veterans, and Military Affairs Committee. Senator Vicki Marble will serve as Chair, and Senator Jerry Sonnenberg as Vice Chair. These changes are effective for the remainder of the session.

Respectfully Yours,
(signed)
Chris Holbert
Senate Majority Leader

Cc: President Kevin Grantham
Minority Leader Lucia Guzman
Senator Owen Hill
Senator Vicki Marble
Senator Jerry Sonnenberg
Effie Ameen, Secretary of the Senate
Susan Liddle, Legislative Council Staff

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR17-1022 by Representative(s) Danielson and Jackson; also Senator(s) Donovan and Kerr--Concerning the designation of April 4, 2017, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persisting problem of wage disparity among various groups.

Laid over until Tuesday, April 11, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB17-285 by Senator(s) Grantham, Cooke, Fields, Kagan, Kefalas, Marble, Merrifield, Neville T., Scott, Sonnenberg; also Representative(s) Becker K. and Lawrence, Beckman, Lontine, Melton, Mitsch Bush, Wist--Concerning modifications to statutory provisions governing downtown development authorities to promote the equitable financial contribution among affected public bodies in connection with development projects allocating tax revenues.
Finance

SB17-286 by Senator(s) Holbert; also Representative(s) Ransom--Concerning the administration of the requirements necessary to allow a person to operate a motor vehicle on the highways of the state.
Transportation

SB17-287 by Senator(s) Priola; also Representative(s) Garnett--Concerning an income tax credit for charitable contributions to an eligible endowment fund.
Finance

HB17-1045 by Representative(s) Young; also Senator(s) Lambert--Concerning the home care allowance grant program, and, in connection therewith, making and reducing appropriations.
Health & Human Services

HB17-1057 by Representative(s) Winter and Liston; also Senator(s) Kerr and Gardner--Concerning the adoption of an interstate compact to allow persons authorized to practice physical therapy in a state to obtain the privilege to practice physical therapy in other member states, and, in connection therewith, making an appropriation.
Finance

HB17-1113 by Representative(s) Willett and Arndt; also Senator(s) Scott--Concerning electronic participation in committee meetings during the legislative interim.
State, Veterans, & Military Affairs

HB17-1150 by Representative(s) Navarro; also Senator(s) Hill--Concerning disallowing a court from granting bail after conviction to offenders who have committed certain felony crimes.
State, Veterans, & Military Affairs

HB17-1165 by Representative(s) Lebsock; also Senator(s) Aguilar--Concerning the resolution of disciplinary actions by agencies within the department of regulatory agencies.
Business, Labor, & Technology

HB17-1172 by Representative(s) Carver and Navarro; also Senator(s) Cooke--Concerning criminal penalties for persons who commit human trafficking of a minor for sexual servitude.
Judiciary

HB17-1175 by Representative(s) Hooton, Gray, Lontine, Winter; also Senator(s) Fields--Concerning domestic violence awareness training under the "Barber and Cosmetologist Act".
State, Veterans, & Military Affairs

HB17-1176 by Representative(s) Becker J. and McLachlan; also Senator(s) Sonnenberg--Concerning an extension of the employment after retirement limitations for retirees of the public employees' retirement association employed by a rural school district after retirement.
Education

HB17-1200 by Representative(s) Wist and Gray, Lee; also Senator(s) Tate and Kefalas--Concerning modification of the laws regulating public benefit corporations, and, in connection therewith, making an appropriation.
Business, Labor, & Technology

HB17-1206 by Representative(s) Singer and Arndt; also Senator(s) Moreno and Coram--Concerning the issuance of identification documents under the "Colorado Road and Community Safety act," and in connection therewith, making an appropriation.
Transportation

HB17-1217 by Representative(s) Winter and Saine, Nordberg, Kraft-Tharp; also Senator(s) Donovan and Smallwood, Jahn--Concerning the governance structure of the state historical society.
Education

HB17-1222 by Representative(s) Landgraf; also Senator(s) Gardner--Concerning a voluntary contribution designation benefiting the family caregiver support fund that appears on the state individual tax return forms.
Finance

HB17-1223 by Representative(s) Saine and Kraft-Tharp, Nordberg, Winter; also Senator(s) Neville T. and Jahn, Donovan, Smallwood--Concerning the creation of a fraud reporting hotline to be administered by the state auditor, and, in connection therewith, establishing referral and reporting processes and state auditor investigative authority.
State, Veterans, & Military Affairs

HB17-1227 by Representative(s) Winter and Lawrence, Covarrubias, McKean, McLachlan; also Senator(s) Priola and Fenberg--Concerning an extension of demand-side management goals for investor-owned utilities as set by the public utilities commission.
Agriculture, Natural Resources, & Energy

HB17-1238 by Representative(s) Lee, Foote, Herod, Willett, Wist; also Senator(s) Holbert, Cooke, Gardner, Guzman, Kagan--Concerning the nonsubstantive relocation of laws related to debt management and collection services from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

HB17-1239 by Representative(s) Wist, Foote, Herod, Lee, Willett; also Senator(s) Guzman, Cooke, Gardner, Holbert, Kagan--Concerning the nonsubstantive relocation of laws related to private occupational schools from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

HB17-1240 by Representative(s) Wist, Foote, Herod, Lee, Willett; also Senator(s) Cooke, Gardner, Guzman, Holbert, Kagan--Concerning the nonsubstantive relocation of the laws related to the department of public health and environment from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

HB17-1241 by Representative(s) Herod, Foote, Lee, Willett, Wist; also Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan--Concerning the nonsubstantive relocation of laws related to Indian arts and crafts sales from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

HB17-1243 by Representative(s) Willett, Foote, Herod, Lee, Wist; also Senator(s) Guzman, Cooke, Gardner, Holbert, Kagan--Concerning the nonsubstantive relocation of the laws related to wholesale sales representatives from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

HB17-1244 by Representative(s) Herod, Foote, Lee, Willett, Wist; also Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan--Concerning the nonsubstantive relocation of the laws related to cemeteries from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

HB17-1245 by Representative(s) Foote, Herod, Lee, Willett, Wist; also Senator(s) Kagan, Cooke, Gardner, Guzman, Holbert--Concerning the nonsubstantive relocation of the laws related to public establishments from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

HB17-1253 by Representative(s) Danielson; also Senator(s) Crowder--Concerning the "Protection of Vulnerable Adults from Financial Exploitation Act".
Finance

HB17-1258 by Representative(s) Hamner and Willett; also Senator(s) Coram and Donovan--Concerning renaming Delta-Montrose technical college to technical college of the Rockies.
Education

HB17-1267 by Representative(s) Arndt, Hooton, Nordberg, Thurlow; also Senator(s) Moreno, Kerr, Martinez Humenik, Tate--Concerning the scheduled repeal of reports by educational agencies to the general assembly.
Education

HB17-1269 by Representative(s) Danielson and Nordberg; also Senator(s) Martinez Humenik and Donovan--Concerning the repeal of the prohibition of an action against an employee for sharing wage information.
Business, Labor, & Technology

HB17-1272 by Representative(s) Hooton, Arndt, Nordberg, Thurlow; also Senator(s) Moreno, Kerr, Martinez Humenik, Tate--Concerning the scheduled repeal of reports by the department of labor and employment to the general assembly.
Business, Labor, & Technology

HB17-1280 by Representative(s) Michaelson Jenet and Young; also Senator(s) Gardner--Concerning conforming Colorado statutory language related to disability trusts to the federal "21st Century Cures Act".
Health & Human Services

TRIBUTES

Honoring:

Adjutant General, Major General H. Michael Edwards -- By Senator Nancy Todd.
President Stephen Jordan, Metropolitan State University -- By Senator Nancy Todd.
International Week of Service -- By Senator Beth Martinez Humenik, Representative Jeni James Arndt, and Representative Joann Ginal.
Liberty Common School Graduating Class -- By Senator John Kefalas.
Bill Orchard -- By Senator Rachel Zenzinger.
Dot and Ranger Miller -- By Senator Rachel Zenzinger.
Ron Slinger -- By Senator Rachel Zenzinger.
Rebel Rodriguez -- By Senator Rachel Zenzinger.
Bob Dyer -- By Senator Rachel Zenzinger.
Andrew Heesacker -- By Senator Rachel Zenzinger.
Maddie Schmidt -- By Senator Rachel Zenzinger.
Jill Hartmann -- By Senator Rachel Zenzinger.
Darrel and Wanda Dix -- By Senator Rachel Zenzinger.
Dennis and Bobbie Dubbel -- By Senator Rachel Zenzinger.
Dan File -- By Senator Kerry Donovan.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, April 6, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

86th Legislative Day Thursday, April 6, 2017

Prayer — By the chaplain, Pastor Doug Toller, Winter Park Christian Church, Tabernash.

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 Court.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Wednesday, April 5, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Health & Human Services — After consideration on the merits, the Committee recommends that **HB17-1224** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Health & Human Services — After consideration on the merits, the Committee recommends that **HB17-1106** be referred to the Committee on Appropriations with favorable recommendation.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB17-1189** 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 **SB17-280** be referred to the Committee on Appropriations with favorable recommendation.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-249** 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 4, after line 5, insert:

"**SECTION 3.** In Colorado Revised Statutes, 10-1-215, **amend** (1) as follows:

10-1-215. Fines and penalties. (1) Fines and penalties levied as a result of a market conduct action or other action enforcing this part 2 shall be consistent, reasonable, and justified. EVERY FINE OR PENALTY MUST RELATE TO THE GENERAL BUSINESS PRACTICES AND COMPLIANCE ACTIVITIES OF INSURERS AND NOT TO CLEARLY INFREQUENT OR UNINTENTIONAL RANDOM ERRORS THAT DO NOT CAUSE SIGNIFICANT CONSUMER HARM.".

Renumber succeeding sections accordingly.

Page 8, after line 24, insert:

"**SECTION 11.** In Colorado Revised Statutes, 10-16-111, **amend** (2)(a), (2)(b) introductory portion, and (2)(b)(IV) as follows:

10-16-111. Annual statements and reports - rules. (2) **Health maintenance organizations.** (a) Every health maintenance organization shall annually, on or before March 1, file a report verified by at least two principal officers with the commissioner ~~with a copy to the executive director~~ covering the preceding calendar year.

(b) ~~Such~~ THE report ~~shall~~ MUST be on forms prescribed by the commissioner and shall include:

(IV) A summary of information compiled pursuant to section 10-16-402 (1)(b)(III) in such form as required by the ~~executive director~~ COMMISSIONER;".

Renumber succeeding sections accordingly.

Education — After consideration on the merits, the Committee recommends that **HB17-1201** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike line 17.

Page 3, line 19, strike "AND".

Page 3, after line 19, insert:

"(V) ACHIEVING A SCORE OF ONE HUNDRED OR HIGHER ON THE SUITE OF TESTS THAT ASSESSES READING, WRITING, MATHEMATICS, AND COMPUTER SKILLS PROVIDED BY THE COLLEGE BOARD FOR COLLEGE PLACEMENT PURPOSES, COMMONLY KNOWN AS THE ACCUPLACER; OR

(VI) ACHIEVING A SCORE OF EIGHTY-FIVE OR HIGHER ON THE ARMED SERVICES VOCATIONAL APTITUDE BATTERY TEST USED FOR MILITARY ENLISTMENT; AND".

Page 4, line 22, strike "IN THE LOCAL" and substitute "IDENTIFIED BY THE LOCAL EDUCATION PROVIDER WITHIN THE SURROUNDING COMMUNITIES".

Page 4, line 23, strike "COMMUNITY".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-284** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1177** 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 **HB17-1186** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1188** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1214** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB17-103** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 11, after line 3 insert:

"**SECTION 7. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state money is necessary to carry out the purposes of this act.".

Renumber succeeding section accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **HB17-1012** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB17-1027** 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 **HB17-1070** 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 **HB17-1120** 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 **HB17-1221** 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 **SB17-002** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Business, Labor, & Technology Committee Report, dated February 14, 2017, page 1, strike lines 1 and 2 and substitute "Amend printed bill, page 2, line 8, before "COMMENCING" insert "NOTWITHSTANDING".

Page 1 of the report, line 4, strike "2017," and substitute "2018,".

Page 1 of the report, line 8, strike "2017." and substitute "2017."."

Page 1 of the report, strike line 9.

Page 1 of the report, line 10, strike ""2018,"." and substitute ""2021,".".

Page 1 of the report, line 16, strike ""2018,"." and substitute ""2021,".".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-180** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB17-003** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, after line 20 insert:

"**SECTION 6. Appropriation.** (1)(a) For the 2017-18 state fiscal year, $1,054,469 is appropriated to the department of health care policy and financing for use by the executive director's office. This appropriation consists of $896,858 from the general fund, $154,992 from the hospital provider fee cash fund created in section 25.5-4-402.3 (4)(a), C.R.S., $2,490 from the old age pension health and medical care fund created in section 25.5-2-101 (2), C.R.S., and $129 from the children's basic health plan trust created in section 25.5-8-105 (1), C.R.S. To implement this act, the office may use this appropriation as follows:

(I) $49,281 for personal services, which consists of $35,492 general fund and $13,789 from the hospital provider fee cash fund, which amount is based on an assumption that the division will require an additional 1.6 FTE; and

(II) $10,356 for operating expenses, which consists of $7,458 general fund and $2,898 from the hospital provider fee cash fund; and

(III) $994,832 for Colorado benefits management systems operating and contract expenses, which consists of $853,908 general fund, $138,305 from the hospital provider fee cash fund, $2,490 from the old age pension health and medical care fund, and $129 from the children's basic health plan trust.

(b) For the 2017-18 state fiscal year, the General Assembly anticipates that the department of health care policy and financing will receive $1,444,805 in federal funds to implement this act, which amount is included for informational purposes only. The appropriation in subsection (a) of this subsection (1) is based on the assumption that the department will receive this amount of federal funds to be used as follows:

(I) $49,281 for personal services; and

(II) $10,356 for operating expenses; and

(III) $1,385,168 for Colorado benefits management systems operating and contract expenses.

(2) For the 2017-18 state fiscal year, $2,380,000 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from reappropriated funds received from the department of health care policy and financing under subsections (a)(III) and (b)(III) of this subsection (1). To implement this act, the office may use this appropriation to provide information technology services for the department of health care policy and financing.

(3) For the 2017-18 state fiscal year, $36,348 is appropriated to the department of regulatory agencies for use by the division of insurance. This appropriation is from the division of insurance cash fund created in section 10-1-103 (3), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) $31,170 for personal services, which amount is based on an assumption that the division will require an additional 0.5 FTE; and

(b) $5,178 for operating expenses.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**ACT**." and substitute "**ACT**, **AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB17-028** 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 6, before line 7 insert:

"**SECTION 5. Appropriation.** (1) For the 2017-18 state fiscal year, $12,960 is appropriated to the department of human services for use by the office of information technology services for Colorado trails. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the purchase of information technology services.

(2) For the 2017-18 state fiscal year, $12,960 is appropriated to

the office of the governor for use by the office of information technology. This appropriation is from reappropriated funds received from the department of human services under subsection (1) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of human services.".

Renumber succeeding section accordingly.

Page 1, line 106, strike "**INVESTIGATION.**" and substitute "**INVESTIGATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-039** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 14, after line 7 insert:

"**SECTION 4. Appropriation - adjustments to 2017 long bill.** To implement this act, the general fund appropriation made in the annual general appropriation act for the 2017-18 state fiscal year to the department of education for the state share of districts' total program funding is decreased by $50,000,000.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**EDUCATION.**" and substitute "**EDUCATION, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-075** 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 12, strike "(A)".

Page 3, lines 3 and 4, strike "EXCEPT AS SET FORTH IN SUBSECTION (4)(f)(III)(B) OF THIS SECTION, for" and substitute "For".

Page 3, strike lines 18 through 26 and substitute:

"(x) (I) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2018, BUT PRIOR TO JANUARY 1, 2027, AN AMOUNT EQUAL TO ANY MILITARY RETIREMENT BENEFITS INCLUDED IN FEDERAL ADJUSTED GROSS INCOME MULTIPLIED BY A PERCENTAGE AS FOLLOWS:

(A) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2018, BUT PRIOR TO JANUARY 1, 2019, TEN PERCENT OF THE MILITARY RETIREMENT BENEFITS;

(B) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2019, BUT PRIOR TO JANUARY 1, 2020, TWENTY PERCENT OF THE MILITARY RETIREMENT BENEFITS;

(C) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2020, BUT PRIOR TO JANUARY 1, 2021, THIRTY PERCENT OF THE MILITARY RETIREMENT BENEFITS;

(D) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2021, BUT PRIOR TO JANUARY 1, 2022, FORTY PERCENT OF THE MILITARY RETIREMENT BENEFITS;

(E) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2022, BUT PRIOR TO JANUARY 1, 2023, FIFTY PERCENT OF THE MILITARY RETIREMENT BENEFITS;

(F) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2023, BUT PRIOR TO JANUARY 1, 2024, SIXTY PERCENT OF THE MILITARY RETIREMENT BENEFITS;

(G) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2024, BUT PRIOR TO JANUARY 1, 2025, SEVENTY PERCENT OF THE

MILITARY RETIREMENT BENEFITS;

(H) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2025, BUT PRIOR TO JANUARY 1, 2026, EIGHTY PERCENT OF THE MILITARY RETIREMENT BENEFITS; AND

(I) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2026, BUT PRIOR TO JANUARY 1, 2027, NINETY PERCENT OF THE MILITARY RETIREMENT BENEFITS.

(II) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2027, ANY MILITARY RETIREMENT BENEFITS, TO THE EXTENT INCLUDED IN FEDERAL TAXABLE INCOME.

(III) IF AN INDIVIDUAL'S MILITARY RETIREMENT BENEFITS EXCEED THE AMOUNT THAT MAY BE SUBTRACTED UNDER SUBSECTION (4)(x)(I) OF THIS SECTION, THEN THOSE EXCESS MILITARY RETIREMENT BENEFITS MAY BE SUBTRACTED IN ACCORDANCE WITH SUBSECTION (4)(f) IF ELIGIBLE UNDER THAT SUBSECTION.

(IV) AS USED IN THIS SUBSECTION (4)(x), "MILITARY RETIREMENT BENEFITS" MEANS ANY RETIREMENT BENEFITS RECEIVED AS A RESULT OF THE INDIVIDUAL'S SERVICE IN THE ARMED FORCES OF THE UNITED STATES.".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-091** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, after line 10 insert:

"**SECTION 2. Appropriation.** (1) For the 2017-18 state fiscal year, $1,043,783 is appropriated to the department of health care policy and financing. Of this appropriation $1,025,567 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, $18,207 cash funds is from the hospital provider fee cash fund created in section 25.5-4-402.3 (4)(a), C.R.S., and $9 cash funds is from the breast and cervical cancer prevention and treatment fund created in section 25.5-5-308 (8)(a)(I), C.R.S. To implement this act, the department may use this appropriation for medical services premiums.

(2) For the 2017-18 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive $1,167,747 in federal funds for medical services premiums to implement this act. The appropriation in subsection (1) of this section is based on the assumption that the department will receive this amount of federal funds.".

Renumber succeeding sections accordingly.

Page 1, line 102, strike "**COMMUNITY.**" and substitute "**COMMUNITY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-126** 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 14, after line 25 insert:

"**SECTION 3. Appropriation.** For the 2017-18 state fiscal year, $19,750 is appropriated to the department of law. This appropriation consists of $17,250 from the general fund and $2,500 from the Colorado domestic violence review board cash fund created in section 24-31-705 (1)(e), C.R.S. To implement this act, the department may use this appropriation for the office of community engagement.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**BOARD.**" and substitute "**BOARD, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB17-186** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 8. after line 19 insert:

"**SECTION 3. Appropriation.** (1) For the 2017-18 state fiscal year, $323,886 is appropriated to the department of revenue. This appropriation consists of $32,842 from general fund and $291,044 from various cash funds. To implement this act, the department may use this appropriation as follows:

(a) $294,900 for use by the administration section of the enforcement business group, which consists of $3,856 from the general fund and $291,044 from various cash funds, which amount is based on an assumption that the department will require an additional 3.3 FTE; and

(b) $28,986 from the general fund for use by the taxation and compliance division, which amount is based on an assumption the department will require an additional 0.5 FTE.

(2) For the 2017-18 state fiscal year, $102,664 is appropriated to the department of public health and environment for use by the division of administration and support. This appropriation is from the general fund. To implement this act, the division may use this appropriation as follows:

(a) $96,821 for personal services, which amount is based on an assumption that the division will require an additional 1.2 FTE; and

(b) $5,843 for operating expenses.

(3) For the 2017-18 state fiscal year, $86,926 is appropriated to the department of regulatory agencies for use by the executive director's office. This appropriation is from various cash funds. To implement this act, the department may use this appropriation as follows:

(a) $75,063 for personal services, which amount is based on an assumption that the department will require an additional 0.8 FTE; and

(b) $11,863 for operating expenses.

(4) For the 2017-18 state fiscal year, $8,240 is appropriated to the department of state for use by the business and licensing division. This appropriation is from the department of state cash fund created in section 24-21-104 (3)(b), C.R.S. To implement this act, the division may use this appropriation for personal services.

(5) For the 2017-18 state fiscal year, $5,586 is appropriated to the department of personnel for use by the executive director's office. This appropriation is from the general fund. To implement this act, the office may use this appropriation for personal services, which amount is based on an assumption that the office will require an additional 0.1 FTE.

(6) For the 2017-18 state fiscal year, $3,776 is appropriated to the department of public safety for use by the executive director's office. This appropriation is from the general fund. To implement this act, the division may use this appropriation for personal services, which amount is based on an assumption that the office will require an additional 0.1 FTE.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**AGENCIES.**" and substitute "**AGENCIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB17-188** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 14, after line 17 insert:

"**SECTION 6. Appropriation - adjustments to 2017 long bill.** To implement this act, the general fund appropriation made in the annual general appropriation act for the 2017-18 state fiscal year to the office of the governor for use by the Colorado energy office for program

administration is decreased by $70,000.".

Renumber succeeding sections accordingly.

Page 14, line 20, after "4" insert "and 6".

Page 14, line 26, after "4" insert "and 6".

Page 1, line 103, strike "**2018.**" and substitute "**2018, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-198** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Business, Labor, and Technology Committee Report, dated March 22, 2017, page 3, after line 30 insert:

"**SECTION 2. Appropriation.** (1) For the 2017-18 state fiscal year, $9,505 is appropriated to the department of regulatory agencies for use by the executive director's office. This appropriation is from the division of insurance cash fund created in section 10-1-103 (3), C.R.S. To implement this act, the office may use this appropriation for legal services.

(2) For the 2017-18 state fiscal year, $9,505 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of regulatory agencies under subsection (1) of this section and is based on an assumption that the department of law will require an additional 0.1 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of regulatory agencies.".

Renumber succeeding sections accordingly.

Page 1 of the bill, line 103, strike "**PLANS.**" and substitute "**PLANS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-192** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Business, Labor, and Technology Committee Report, dated March 8, 2017, page 11, after line 16 insert:

"**SECTION 11. Appropriation.** (1) For the 2017-18 state fiscal year, $9,600 is appropriated to the department of revenue. This appropriation is from the general fund. To implement this act, the department may use this appropriation for tax administration IT system (GenTax) support.

(2) For the 2017-18 state fiscal year, $59,458 is appropriated to the department of revenue. This appropriation is from the marijuana cash fund created in section 12-43.3-501 (1)(a), C.R.S. To implement this act, the department may use this appropriation for marijuana enforcement, which amount is based on the assumption that the department will require an additional 0.3 FTE.".

Renumber succeeding section accordingly.

Page 1 of the bill, line 102, strike "**EFFICIENTLY.**" and substitute "**EFFICIENTLY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-199** be postponed indefinitely.

Appropriations — After consideration on the merits, the Committee recommends that **SB17-201** 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 **SB17-202** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB17-208** be postponed indefinitely.

Appropriations — After consideration on the merits, the Committee recommends that **SB17-212** 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 **SB17-243** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB17-248** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SB17-285, 286, and 287.
Correctly Engrossed: SB17-222, 223, 224, 225, 226, 227, and 228; SJM17-003.
Correctly Reengrossed: SB17-247.
Correctly Enrolled: SB17-108, 115, 139, and 189; SJR17-024 and 028.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB17-222 by Senator(s) Cooke, Gardner, Guzman, Holbert, Kagan; also Representative(s) Willett, Foote, Herod, Lee, Wist--Concerning the nonsubstantive relocation of the laws related to fireworks from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Lambert, and Tate.

SB17-223 by Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan; also Representative(s) Herod, Foote, Lee, Willett, Wist--Concerning the nonsubstantive relocation of laws related to the treatment of human bodies after death from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Lambert, and Martinez Humenik.

SB17-224 by Senator(s) Kagan, Cooke, Gardner, Guzman, Holbert; also Representative(s) Lee, Foote, Herod, Willett, Wist--Concerning the nonsubstantive relocation of laws related to commercial driving schools from title 12 of the Colorado Revised Statutes as part of the organizational recodification of title 12.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder.

SB17-225 by Senator(s) Cooke, Gardner, Guzman, Holbert, Kagan; also Representative(s) Willett, Foote, Herod, Lee, Wist--Concerning the nonsubstantive relocation of laws related to farm products from title 12 of the Colorado Revised Statutes as part of the organizational recodification of title 12.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Martinez Humenik, Scott, and Tate.

SB17-226 by Senator(s) Kagan, Cooke, Gardner, Guzman, Holbert; also Representative(s) Foote, Herod, Lee, Willett, Wist--Concerning the nonsubstantive relocation of laws related to the regulation of financial institutions from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Martinez Humenik, and Tate.

SB17-227 by Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan; also Representative(s) Foote, Herod, Lee, Willett, Wist--Concerning the nonsubstantive relocation of laws related to attorneys-at-law from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Lambert, Martinez Humenik, and Tate.

SB17-228 by Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan; also Representative(s) Wist, Foote, Herod, Lee, Willett--Concerning the nonsubstantive relocation of the laws related to licenses granted by local governments from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Crowder, Kefalas, Lambert, Martinez Humenik, and Tate.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-213 by Senator(s) Hill and Moreno; also Representative(s) Winter and Bridges, Lundeen--Concerning authorization for automated driving systems to control motor vehicles throughout Colorado.

Laid over until Friday, April 7, retaining its place on the calendar.

SB17-051 by Senator(s) Fields and Gardner; also Representative(s) Foote and Lawrence--Concerning the rights of crime victims.

Senator Gardner moved that the Senate concur in House amendments to **SB17-051**, as printed in House journal, April 4, page(s) 770-771. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF RESOLUTIONS

SJR17-029 by Senator(s) Tate and Fields; also Representative(s) Wist and Buckner--Concerning the designation of May 2, 2017, as "Children's Health Day" in Colorado.

On motion of Senator Fields, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Todd, Williams A., and Zenzinger.

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SJM17-004 by Senator(s) Lundberg; also Representative(s) Sias--Memorializing former Senator Joseph Schieffelin.

Laid over until Wednesday, April 12, retaining its place on the calendar.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-036; SJM17-003; SJR17-026.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, April 7, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

87th Legislative Day Friday, April 7, 2017

Prayer — By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--33
Excused--2, Lambert, Moreno.
Present later--1, Moreno.

Quorum — The President announced a quorum present.

Musical Presentation — By Alexandria Vaughn, performing "The Star-Spangled Banner".

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Thursday, April 6, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

COMMITTEE OF REFERENCE REPORTS

Appropriations — After consideration on the merits, the Committee recommends that **SB17-121** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Health & Human Services Committee Report, dated February 16, 2017, page 2, line 7, after "TO" insert "DETERMINING".

Page 2, line 8, after the period add "CLIENT CORRESPONDENCE DOES NOT INCLUDE COMMUNICATIONS REGARDING THE STATE DEPARTMENT'S REVIEW OF TRUSTS OR REVIEW OF DOCUMENTS OR RECORDS RELATING TO TRUSTS.".

Page 2, line 40, before "THE" insert "ON AND AFTER JULY 1, 2018,".

Page 3, lines 12 and 13, strike "TO THE EXTENT PRACTICABLE AND PRIOR TO IMPLEMENTING SIGNIFICANT CHANGES TO CLIENT CORRESPONDENCE,".

Page 3, line 14, strike "SHALL" and substitute "MAY".

Page 3, line 22, after "IMPLEMENTING" insert "SIGNIFICANT".

Page 3, after line 39 insert:

"**SECTION 2.** In Colorado Revised Statutes, 25.5-4-213, **amend as added by House Bill 17-1143** (1) as follows:

25.5-4-213. Audit of medicaid client correspondence - definition. (1) As used in this section, unless the context otherwise requires, "client correspondence" ~~means any communication, the purpose of which is to provide notice of an approval, denial, termination, or~~

~~change to an individual's medicaid eligibility, to provide notice of the approval, denial, reduction, suspension, or termination of a medicaid benefit, or to request additional information that is relevant to an individual's medicaid eligibility or benefits~~ HAS THE SAME MEANING AS DEFINED IN SECTION 25.5-4-212.

SECTION 3. Appropriation. (1) For the 2017-18 state fiscal year, $141,890 is appropriated to the department of health care policy and financing for use by the executive director's office. Of this appropriation $95,662 is from the general fund and $46,228 is from the hospital provider fee cash fund created in section 25.5-4-402.3 (4)(a), C.R.S., and is based on an assumption that the department will require an additional 0.7 FTE. To implement this act, the office may use this appropriation as follows:

(a) $24,576, which consists of $16,569 from general fund and $8,007 from the hospital provider fee cash fund created in section 25.5-4-402.3 (4)(a), C.R.S., for personal services, which amount is based on an assumption that the office will require an additional 0.7 FTE;

(b) $11,982, which consists of $8,078 from general fund and $3,904 from the hospital provider fee cash fund created in section 25.5-4-402.3 (4)(a), C.R.S., for operating expenses;

(c) $50,000, which consists of $33,710 from general fund and $16,290 from the hospital provider fee cash fund created in section 25.5-4-402.3 (4)(a), C.R.S., for general professional services and special projects; and

(d) $55,332, which consists of $37,305 from general fund and $18,027 from the hospital provider fee cash fund created in section 25.5-4-402.3 (4)(a), C.R.S., for medicaid management information system maintenance and projects.

(2) For the 2017-18 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive $141,891 in federal funds to implement this act, which amount is included for informational purposes only. The appropriation in subsection (1) of this section is based on the assumption that the department will receive this amount of federal funds to be used as follows:

(a) $24,577 for personal services;

(b) $11,982 for operating expenses;

(c) $50,000 for general professional services and special projects; and

(d) $55,332 for medicaid management information system maintenance and projects.

SECTION 4. Appropriation. For the 2017-18 state fiscal year, $8,100 is appropriated to the department of personnel for use by the administrative courts. This appropriation is from the general fund. To implement this act, the administrative courts may use this appropriation for operating expenses.".

Renumber succeeding section.

Page 4 of the report, after line 8 insert:

"Page 1 of the bill, line 101, strike "**CORRESPONDENCE.**" and substitute "**CORRESPONDENCE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".".

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB17-235** be postponed indefinitely.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **HB17-1233** be referred to the Committee of the Whole with favorable recommendation.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB17-1219** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB17-1008** be referred to the Committee of the Whole with favorable recommendation.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
WATER QUALITY CONTROL COMMISSION

for terms expiring February 15, 2019:

Barbara Jean Biggs of Denver, Colorado, reappointed;

Kevin James Greer, PE of Englewood, Colorado, appointed;

Fredrick J. Menzer of Breckenridge, Colorado, appointed.

for terms expiring February 15, 2020:

Jane Kees Clary of Centennial, Colorado, appointed;

David Baumgarten of Gunnison, Colorado to serve as a representative who lives west of the continental divide, reappointed.

Education

The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO SCHOOL OF MINES, BOARD OF TRUSTEES

effective December 31, 2016 for terms expiring December 31, 2020:

Timothy John Haddon of Denver, Colorado, an Unaffiliated, to serve as a graduate of the Colorado School of Mines, reappointed;

Jesus Juan Salazar of Denver, Colorado, a Democrat, to serve as a graduate of the Colorado School of Mines, appointed;

Charles S. McNeil of Cherry Hills Village, Colorado, a Republican, to serve as a graduate, appointed.

Education

The Committee on Education 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
COLLEGEINVEST BOARD OF DIRECTORS

for a term expiring July 31, 2020:

Jason B. Maples, CLU, ChFC, CFP of Greenwood Village, Colorado, reappointed.

Education

After consideration on the merits, the Committee recommends that **SB17-272** 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 17, after "(2)" insert "(a)".

Page 7, line 1, strike "(a)" and substitute "(I)".

Page 7, line 5, strike "(b)" and substitute "(II)".

Page 7, after line 7 insert:

"(b) SUBSECTION (2)(a) OF THIS SECTION DOES NOT AFFECT THE AUTHORITY OF THE COLORADO COMMISSION ON HIGHER EDUCATION AND GOVERNING BOARDS OF THE INSTITUTIONS OF HIGHER EDUCATION TO ESTABLISH AND IMPLEMENT THE ACADEMIC ADMISSION STANDARDS FOR STUDENTS FOR ALL STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION AND THE POLICIES AND PROCEDURES FOR DETERMINING A STUDENT'S NEED FOR BASIC SKILLS COURSES AS PROVIDED IN SECTION 23-1-113.".

Education

After consideration on the merits, the Committee recommends that **HB17-1160** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 7, after "(a.7)" insert "(I)".

Page 4, line 4, strike "THE READING ASSESSMENTS IN ENGLISH." and substitute "AT LEAST ONE OF THE READING ASSESSMENTS IN ENGLISH, AS PROVIDED IN SUBSECTION (1)(a.7)(II) OF THIS SUBSECTION (1)(a.7).".

Page 4, after line 8, insert:

"(II) IN DETERMINING WHETHER A STUDENT MUST TAKE THE READING ASSESSMENTS IN A LANGUAGE OTHER THAN ENGLISH AS REQUIRED IN SUBSECTION (1)(a.7)(I) OF THIS SECTION, EACH LOCAL EDUCATION PROVIDER SHALL REVIEW THE STUDENT'S SCORE ON THE MOST RECENT ANNUAL ASSESSMENT ADMINISTERED PURSUANT TO THE LOCAL EDUCATION PROVIDER'S ENGLISH LANGUAGE PROFICIENCY PROGRAM, AS REQUIRED IN ARTICLE 24 OF THIS TITLE 22. IF THE STUDENT SCORES WITHIN THE RANGE THAT THE LOCAL EDUCATION PROVIDER DETERMINES DEMONSTRATES PARTIAL PROFICIENCY IN ENGLISH OR HIGHER, THE LOCAL EDUCATION PROVIDER SHALL ENSURE THAT THE STUDENT ANNUALLY TAKES AT LEAST ONE OF THE READING ASSESSMENTS REQUIRED IN THIS SUBSECTION (1) IN ENGLISH.".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1185** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-268** 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 5, strike "~~up to three~~" and substitute "up to ~~three~~ SIX".

Page 2, line 8, strike "at least one" and substitute "~~at least one~~ THE MAJORITY".

Page 2, line 12, strike "manager." and substitute "manager WITHIN EIGHTEEN MONTHS OF HIRE.".

Local Government

After consideration on the merits, the Committee recommends that **SB17-279** 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 6, line 9, strike "17-___," and substitute "17-279,".

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-213 by Senator(s) Hill and Moreno; also Representative(s) Winter and Bridges, Lundeen--Concerning authorization for automated driving systems to control motor vehicles throughout Colorado.

Senator Hill moved that the Senate not concur in House amendments to **SB17-213**, as printed in House journal, April 3, page 732, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	E	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senators Hill, Chair, Gardner, and Moreno were appointed as Senate conferees on the first conference committee on **SB17-213**.

SENATE SERVICES REPORT

Correctly Printed: SJM-004.
Correctly Reengrossed: SB17-222, 223, 224, 225, 226, 227, and 228; SJR17-029.
Correctly Enrolled: SB17-051; SJM17-003; SJR17-026.

MESSAGE FROM THE HOUSE

April 6, 2017

Mr. President:

The House has adopted and returns herewith SJR17-029.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills -- Final Passage Calendar (SB17-071) of Friday, April 7, 2017, was laid over until Monday, April 17, 2017, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Coram, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Coram was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1218 by Representative(s) Garnett; also Senator(s) Priola--Concerning an expansion of the state's ability to share information about state financial institutions with other governmental regulators.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Coram, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	E	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1218.

Committee of the Whole

On motion of Senator Coram, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Coram was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1123 by Representative(s) Lebsock and Thurlow, Neville P., Humphrey, Melton, Singer, Leonard; also Senator(s) Marble, Holbert--Concerning the ability of a local government to extend the hours during which alcohol beverages may be sold for consumption on a licensed premises.

Laid over until Thursday, April 13, retaining its place on the calendar.

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.

Laid over until Monday, April 10, retaining its place on the calendar.

SB17-211 by Senator(s) Scott; --Concerning a requirement that a state agency accept the full amount of a bid security bond issued by a surety company to a prospective contractor for a public project.

Laid over until Monday, April 10, retaining its place on the calendar.

HB17-1215 by Representative(s) Coleman, Benavidez, Carver, Herod, Lawrence, Salazar, Weissman, Foote, Melton, Thurlow, Willett; also Senator(s) Gardner and Kagan, Aguilar, Coram--Concerning mental health support for peace officers.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, April 5, page 684 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1203 by Representative(s) Lebsock; also Senator(s) Martinez Humenik and Crowder--Concerning the authority of certain local governments to levy a special sales tax on retail marijuana in certain circumstances subject to voter approval by the eligible electors of the local government.

Laid over until Monday, April 10, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Coram, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	E	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1215 as amended.
Laid over until Monday, April 10: SB17-138, SB17-211, HB17-1203.
Laid over until Thursday, April 13: HB17-1123.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB17-1224, HB17-1189, SB17-249, HB17-1177, HB17-1027, HB17-1070, HB17-1120, HB17-1221, SB17-028, SB17-091, SB17-126, SB17-201, and SB17-212 were made Special Orders -- Consent Calendar at 9:39 a.m.

Committee of the Whole

The hour of 9:39 a.m. having arrived, Senator Coram 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 Coram 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:

HB17-1224 by Representative(s) Kraft-Tharp; also Senator(s) Gardner--Concerning penalties for accessing drugs in a manner that violates the "Colorado Food and Drug Act".

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1189 by Representative(s) Danielson and Thurlow; also Senator(s) Scott--Concerning the limit on the number of terms a member of the Colorado wine industry development board may serve.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-249 by Senator(s) Smallwood and Williams A.; also Representative(s) Ginal--Concerning the continuation of the division of insurance, and, in connection therewith, implementing the recommendations contained in the 2016 sunset report by the department of regulatory agencies.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 6, page(s) 691-692 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1177 by Representative(s) Wist and Garnett; also Senator(s) Cooke--Concerning the use of alternative methods of resolving disputes that arise under the "Colorado Open Records Act".

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1027 by Representative(s) Becker J. and Buckner; also Senator(s) Gardner and Garcia--Concerning the Emily Maureen Ellen Keyes organ and tissue donation awareness fund, and, in connection therewith, changing the name of the fund, removing the repeal date of the fund, requiring an annual report on the use of donated funds, clarifying that an organ and tissue donor designation is effective unless revoked by the donor, and making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, March 21, page 486 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1070 by Representative(s) Wilson; also Senator(s) Coram and Donovan--Concerning the use of unmanned aircraft systems to perform government functions relating to certain public-safety functions, and, in connection therewith, requiring the center of excellence within the department of public safety to perform a study and operate a pilot program.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, March 24, page(s) 537-538 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1120 by Representative(s) Willett, Arndt; also Senator(s) Coram--Concerning the designation of a campus liquor complex on the campus of an institution of higher education that is licensed to serve alcohol beverages for consumption on the licensed premises to allow the institution to obtain permits to serve alcohol beverages at other facilities within its campus liquor complex, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1221 by Representative(s) Willett and Pabon, Carver; also Senator(s) Aguilar and Cooke--Concerning gray and black market marijuana enforcement efforts, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-028 by Senator(s) Gardner; also Representative(s) Nordberg--Concerning the promotion of healthy families through the sharing of information related to investigations of child abuse or neglect between departments of human services and military installations when a person affiliated with the military installation is involved with the investigation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 27, page(s) 82-83 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 6, page(s) 694-695 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-091 by Senator(s) Crowder and Moreno; also Representative(s) Ginal--Concerning allowing medicaid home health services to be provided in the community.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 6, page 696 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-126 by Senator(s) Guzman and Gardner; also Representative(s) Hamner and Willett--Concerning the Colorado domestic violence fatality review board.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 16, page 227 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 6, page 696 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-201 by Senator(s) Cooke and Fields; --Concerning the continuation of the domestic violence offender management board, and, in connection therewith, implementing the recommendations of the 2016 sunset report issued by the department of regulatory agencies.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 14, page 424 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-212 by Senator(s) Crowder, Fenberg; also Representative(s) Weissman--Concerning the continuation of the Colorado board of veterans affairs.

Ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Coram, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	E	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-249 as amended, SB17-028 as amended, SB17-091 as amended, SB17-126 as amended, SB17-201 as amended, SB17-212, HB17-1224, HB17-1189, HB17-1177, HB17-1027 as amended, HB17-1070 as amended, HB17-1120, HB17-1221.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointment was confirmed by the following roll call vote:

MEMBER OF THE
COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2020:

Stella Peterson of Arvada, Colorado, to serve as a member of the public and as a Democrat, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	E	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MESSAGE FROM THE GOVERNOR

April 6, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-046: CONCERNING THE MODERNIZATION OF PROCEDURES PERTAINING TO WARRANTS AND CHECKS NOT YET PRESENTED TO THE STATE TREASURER FOR PAYMENT.

Approved April 06, 2017 at 2:55pm

SB17-144: CONCERNING THE RECOMMENDED CONTINUATION OF THE EDUCATION DATA ADVISORY COMMITTEE BY THE DIRECTOR OF THE DIVISION OF PROFESSIONS AND OCCUPATIONS IN THE DEPARTMENT OF REGULATORY AGENCIES.

Approved April 06, 2017 at 2:31pm

SB17-146: CONCERNING ACCESS TO THE ELECTRONIC PRESCRIPTION DRUG MONITORING PROGRAM.

Approved April 06, 2017 at 2:35pm

SB17-142: CONCERNING THE REQUIREMENT TO INCLUDE NOTIFICATION TO A PATIENT REGARDING THE PATIENT'S BREAST TISSUE CLASSIFICATION WITH THE REQUIRED MAMMOGRAPHY REPORT.

Approved April 06, 2017 at 2:40pm

SB17-177: CONCERNING AMENDING THE DEFINITION OF "SPECIAL RESPONDENT" IN THE CHILDREN'S CODE TO ALLOW A PERSON TO BE VOLUNTARILY JOINED IN A DEPENDENCY OR NEGLECT PROCEEDING.

Approved April 06, 2017 at 2:55pm

SB17-178: CONCERNING PROHIBITING A COURT FROM REQUIRING A MEDICAL-MARIJUANA PATIENT TO ABSTAIN FROM THE USE OF MARIJUANA AS A CONDITION OF BOND.

Approved April 06, 2017 at 2:52pm

SB17-230: CONCERNING PAYMENT OF EXPENSES OF THE LEGISLATIVE DEPARTMENT.

Approved April 06, 2017 at 2:55pm

SB17-100: CONCERNING QUALIFIED IMMUNITY FOR PERSONS PERFORMING LAND STEWARDSHIP ACTIVITIES ON PUBLIC LANDS.

Approved April 06, 2017 at 2:48pm

SB17-097: CONCERNING THE PRESUMPTION THAT A CONVEYANCE OF AN INTEREST IN LAND ALSO CONVEYS AN INTEREST IN ADJOINING PROPERTY CONSISTING OF A VACATED RIGHT-OF-WAY.

Approved April 06, 2017 at 2:55pm

SB17-065: CONCERNING A REQUIREMENT THAT HEALTH CARE PROVIDERS DISCLOSE THE CHARGES THEY IMPOSE FOR COMMON HEALTH CARE SERVICES WHEN PAYMENT IS MADE DIRECTLY RATHER THAN BY A THIRD PARTY.

Approved April 06, 2017 at 2:45pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

MESSAGE FROM THE HOUSE

April 7, 2017

Mr. President:

In response to the request of the Senate, the Speaker has appointed Representatives Singer, chairman, Ginal, and Wilson as House conferees on the First Conference Committee on SB17-106.

In response to the request of the Senate, the Speaker has appointed Representatives Winter, chairman, Bridges, and Lundeen as House conferees on the First Conference Committee on SB17-213.

Upon request of Majority Leader Holbert, **SB17-091** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Monday, April 10, and was placed at the end of the Third Reading of Bills Final Passage Calendar of Monday, April 10.

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR17-031 by Senator(s) Kagan and Tate; also Representative(s) Hooton--Concerning recognizing "National Ovarian Cancer Awareness Month".

Laid over until Tuesday, April 11, retaining its place on the calendar.

INTRODUCTION OF MEMORIALS

The following memorial was read by title and referred to the committee indicated:

SJM17-005 by Senator(s) Jones; also Representative(s) Foote--Memorializing Congress to reduce subsidies for energy industries.
Agriculture, Natural Resources, & Energy

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB17-1004 by Representative(s) Michaelson Jenet and Danielson; also Senator(s) Hill and Garcia--Concerning a statewide policy for awarding college credit for military education and training.
Education

HB17-1088 by Representative(s) Neville P.; also Senator(s) Neville T.--Concerning signature verification for candidate petitions filed with the secretary of state.
State, Veterans, & Military Affairs

HB17-1190 by Representative(s) Becker K.; also Senator(s) Sonnenberg--Concerning the limited applicability of the Colorado supreme court's decision in St. Jude's Co. v. Roaring Fork Club, LLC, 351 P.3d 442 (Colo. 2015).
Agriculture, Natural Resources, & Energy

HB17-1207 by Representative(s) Lee, Arndt, Beckman, Buckner, Coleman, Exum, Herod, Hooton, Lawrence, Melton, Michaelson Jenet, Pabon, Pettersen, Salazar, Singer, Weissman; also Senator(s) Priola--Concerning the requirement for the department of human services to place a juvenile who is ten years of age and older but less than thirteen years of age in a detention facility unless the juvenile is charged with a serious offense, and, in connection therewith, reducing an appropriation.
Health & Human Services

HB17-1249 by Representative(s) Melton; also Senator(s) Tate--Concerning the unlicensed selling of motor vehicles, and, in connection therewith, making an appropriation.
Business, Labor, & Technology

HB17-1263 by Representative(s) McKean and Hansen; also Senator(s) Gardner--Concerning an authorization for the commissioner of insurance to issue a license that allows a limited lines producer to sell limited lines self-storage insurance.
Business, Labor, & Technology

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

March 31, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

EXECUTIVE DIRECTOR OF
THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
AND ADJUTANT GENERAL

effective April 10, 2017 for a term expiring at the pleasure of the Governor:

Major General Michael A. Loh of Highlands Ranch, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/4/2017
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

April 7, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1082, amended as printed in House Journal, March 31, 2017.
HB17-1212, amended as printed in House Journal, March 31, 2017.
HB17-1250, amended as printed in House Journal, March 31, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

April 7, 2017

We herewith transmit:

Without comment, as amended, HB17-1082, 1212, and 1250.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

SB17-288 by Senator(s) Gardner; --Concerning the decoupling of the compensation of a member of the general assembly from the compensation of a county court judge.
Appropriations

Journal correction (to Transportation committee report on SB17-211):

Page 677, before line 1, insert:

"Amend printed bill, page 2, strike lines 2 through 17 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 43-1-116, **add** (4) as follows:

43-1-116. Engineering, design, and construction division - created - duties. (4) IF, IN RESPONSE TO A SOLICITATION ISSUED BY THE DEPARTMENT, A CONTRACTOR IS REQUIRED TO SECURE A BID IN THE FORM OF A BOND AND THE CONTRACTOR CAN FURNISH SUCH BOND IN THE AMOUNT REQUIRED BY THE SOLICITATION OR IN THE AMOUNT OTHERWISE REQUIRED BY LAW, THE DEPARTMENT SHALL NOT ELIMINATE THE CONTRACTOR FROM CONSIDERATION OF AN AWARD ON THE BASIS OF ANY FINANCIAL STATEMENT THAT THE CONTRACTOR SUBMITTED TO THE DEPARTMENT FOR THE DEPARTMENT'S CONTRACTOR PREQUALIFICATION DETERMINATION PROCESS. THE PROVISIONS OF THIS SECTION APPLY REGARDLESS OF WHETHER THE CONTRACTOR'S FINANCIAL STATEMENT SUBMITTED FOR PREQUALIFICATION PURPOSES INDICATES THAT THE CONTRACTOR MAY NOT BE ABLE TO PERFORM THE APPLICABLE CONTRACT TO THE LEVEL AND AMOUNT REFLECTED IN THE BOND.".".

Renumber succeeding lines accordingly.

On motion of Senator Gardner, the Senate adjourned until 10:00 a.m., Monday, April 10, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

90th Legislative Day Monday, April 10, 2017

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Fields.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Friday, April 7, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

MEMORANDUM
REPORT FROM THE SENATE AND HOUSE COMMITTEES ON DELAYED BILLS

Pursuant to Joint Rule 23 (c), the Senate and House Committees on Delayed Bills, acting jointly, extend the following deadlines:

The Friday, April 7 deadline (the 87th legislative day) for passage of the long appropriation bill in the House is extended until Monday, April 10, 2017 (the 90th legislative day).

This memorandum shall be printed in the journal of each house as is required by Joint Rule 23 (c).

(signed)
Senator Grantham
President of the Senate

(signed)
Representative Duran
Speaker of the House of Representatives

(signed)
Senator Holbert
Senate Majority Leader

(signed)
Representative Becker, K.
House Majority Leader

SENATE SERVICES REPORT

Correctly Printed: SB17-288; SJM17-005; SJR17-031.
Correctly Engrossed: SB17-028, 091, 126, 201, 212, and 249.
Correctly Revised: HB17-1027, 1070, 1120, 1177, 1189, 1215, 1218, 1221, and 1224.

MESSAGE FROM THE HOUSE

April 7, 2017

Mr. President:

The House has postponed indefinitely SB17-130. The bill is returned herewith.

Upon request of Majority Leader Holbert, **HB17-1224, HB17-1027,** and **HB17-1120** were removed from the Third Reading of Bills--Final Passage--Consent Calendar of Monday, April 10, 2017 and were placed at the end of the Third Reading of Bills Final Passage Calendar of Monday, April 10, 2017.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the following bill on the Third Reading of Bills -- Final Passage -- Consent Calendar (SB17-201) of Monday, April 10, 2017, was laid over until Tuesday, April 11, 2017, retaining its place on the calendar.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1218 by Representative(s) Garnett; also Senator(s) Priola--Concerning an expansion of the state's ability to share information about state financial institutions with other governmental regulators.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB17-1189 by Representative(s) Danielson and Thurlow; also Senator(s) Scott--Concerning the limit on the number of terms a member of the Colorado wine industry development board may serve.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder.

SB17-249 by Senator(s) Smallwood and Williams A.; also Representative(s) Ginal--Concerning the continuation of the division of insurance, and, in connection therewith, implementing the recommendations contained in the 2016 sunset report by the department of regulatory agencies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Kerr, Martinez Humenik, Tate, and Zenzinger.

HB17-1177 by Representative(s) Wist and Garnett; also Senator(s) Cooke--Concerning the use of alternative methods of resolving disputes that arise under the "Colorado Open Records Act".

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Donovan, Gardner, Kefalas, Martinez Humenik, Merrifield, Scott, Tate, and Todd.

HB17-1070 by Representative(s) Wilson; also Senator(s) Coram and Donovan--Concerning the use of unmanned aircraft systems to perform government functions relating to certain public-safety functions, and, in connection therewith, requiring the center of excellence within the department of public safety to perform a study and operate a pilot program.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Garcia, Gardner, Kerr, Merrifield, Scott, and Williams A.

HB17-1221 by Representative(s) Willett and Pabon, Carver; also Senator(s) Aguilar and Cooke--Concerning gray and black market marijuana enforcement efforts, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Kagan, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Tate, Todd, and Williams A.

SB17-028 by Senator(s) Gardner; also Representative(s) Nordberg--Concerning the promotion of healthy families through the sharing of information related to investigations of child abuse or neglect between departments of human services and military installations when a person affiliated with the military installation is involved with the investigation, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Smallwood, Tate, Todd, and Williams A.

SB17-126 by Senator(s) Guzman and Gardner; also Representative(s) Hamner and Willett--Concerning the Colorado domestic violence fatality review board, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Fields, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Tate, Todd, Williams A., and Zenzinger.

SB17-212 by Senator(s) Crowder, Fenberg; also Representative(s) Weissman--Concerning the continuation of the Colorado board of veterans affairs.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Donovan, Fields, Gardner, Guzman, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Scott, Todd, Williams A., and Zenzinger.

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:

HB17-1215 by Representative(s) Coleman, Benavidez, Carver, Herod, Lawrence, Salazar, Weissman, Foote, Melton, Thurlow, Willett; also Senator(s) Gardner and Kagan, Aguilar, Coram--Concerning mental health support for peace officers.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Donovan, Fields, Garcia, Guzman, Hill, Jones, Kefalas, Martinez Humenik, Merrifield, Moreno, Todd, Williams A., and Zenzinger.

SB17-091 by Senator(s) Crowder and Moreno; also Representative(s) Ginal--Concerning allowing medicaid home health services to be provided in the community, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Fields, Garcia, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Todd, Williams A., and Zenzinger.

HB17-1224 by Representative(s) Kraft-Tharp; also Senator(s) Gardner--Concerning penalties for accessing drugs in a manner that violates the "Colorado Food and Drug Act".

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas, Martinez Humenik, Priola, and Smallwood.

HB17-1027 by Representative(s) Becker J. and Buckner; also Senator(s) Gardner and Garcia--Concerning the Emily Maureen Ellen Keyes organ and tissue donation awareness fund, and, in connection therewith, changing the name of the fund, extending the repeal date of the fund, requiring an annual report on the use of donated funds, clarifying that an organ and tissue donor designation is effective unless revoked by the donor, and making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Gardner was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.008), by Senator Gardner.

Amend revised bill, page 3, line 6, after "the" insert "~~Emily Maureen Ellen Keyes~~".

Page 3, line 26, after "the" insert "~~Emily Maureen Ellen Keyes~~".

Page 4, line 12, after "the" insert "~~Emily Maureen Ellen Keyes~~".

Page 4, line 18, after "the" insert "~~Emily Maureen Ellen Keyes~~".

Page 6, line 2, after "the" insert "~~Emily Maureen Ellen Keyes~~".

Page 6, line 8, before "EMILY" insert "~~Emily Maureen Ellen Keyes~~".

Page 7, line 4, strike "EMILY KEYES - JOHN W. BUCKNER" and substitute "Emily Keyes - John W. Buckner".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Baumgardner, Court, Crowder, Donovan, Fenberg, Fields, Guzman, Jones, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Moreno, Priola, Todd, Williams A., and Zenzinger.

HB17-1120 by Representative(s) Willett, Arndt; also Senator(s) Coram--Concerning the designation of a campus liquor complex on the campus of an institution of higher education that is licensed to serve alcohol beverages for consumption on the licensed premises to allow the institution to obtain permits to serve alcohol beverages at other facilities within its campus liquor complex, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Committee of the Whole

On motion of Senator Sonnenberg, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Sonnenberg was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-211 by Senator(s) Scott; --Concerning a requirement that a state agency accept the full amount of a bid security bond issued by a surety company to a prospective contractor for a public project.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, April 5, page(s) 676-677 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1203 by Representative(s) Lebsock; also Senator(s) Martinez Humenik and Crowder--Concerning the authority of certain local governments to levy a special sales tax on retail marijuana in certain circumstances subject to voter approval by the eligible electors of the local government.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, April 5, page(s) 684-685 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1201 by Representative(s) Coleman, Lundeen; also Senator(s) Zenzinger and Priola, Todd--Concerning authorization for granting a high school diploma endorsement in the combined disciplines of science, technology, engineering, and mathematics.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 6, page 692 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1186 by Representative(s) Pettersen and Landgraf; also Senator(s) Coram--Concerning a requirement that health benefit plans required to cover contraception reimburse dispensers for dispensing a multiple-months' supply of prescription contraceptives.

Laid over until Tuesday, April 11, retaining its place on the calendar.

HB17-1188 by Representative(s) Foote; also Senator(s) Coram and Moreno--Concerning bias-motivated harassment.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1214 by Representative(s) Coleman, Gray, Rosenthal, Arndt, Covarrubias, Melton; also Senator(s) Tate, Kerr, Williams A.--Concerning efforts to encourage employee ownership of the state's existing small businesses.

A majority of all members elected to the Senate having voted in the affirmative, the bill was referred to the Committee on Business, Labor, & Technology.

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 21, page 478 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Tate.

Amend the State, Veterans, & Military Affairs Committee Report, page 2, strike lines 3 through 6 and substitute the following:

"Page 8, line 11, after "~~signature.~~" add "NOTHING IN THIS SECTION OR THIS CODE PROHIBITS A WATCHER APPOINTED IN".".

Amendment No. 3(L.003), by Senator Tate.

Amend the State, Veterans, & Military Affairs Committee Report, dated March 20, 2017, page 1, after line 13 insert:

"Page 6, line 16, strike "OBSERVE" and substitute "WITNESS AND VERIFY".".

Page 2 of the report, line 7, strike "OBSERVING" and substitute "WITNESSING AND VERIFYING".

Amendment No. 4(L.006), by Senator Tate.

Amend the State, Veterans, & Military Affairs Committee Report, dated March 20, 2017, page 1, strike line 1 and substitute:

"Amend printed bill, page 2, after line 1 insert:

"**SECTION 1.** In Colorado Revised Statutes, 1-1-104, **add** (52) as follows:

1-1-104. Definitions. As used in this code, unless the context otherwise requires:

(52) "WITNESS AND VERIFY" MEANS TO WATCH, OBSERVE, MONITOR, OR COMMUNICATE REGARDING THE ACTIONS OF ELECTION OFFICIALS IN CONNECTION WITH EACH STEP IN THE CONDUCT OF AN ELECTION.".

Renumber succeeding sections accordingly.

Page 3 of the bill, strike lines 3 through 5 and substitute "~~each~~".".

Page 2 of the report, line 1, strike ""RESULTS"" and substitute ""THE RESULTS"".

Page 2 of the report, after line 2 insert:

"Page 7 of the bill, strike lines 16 through 19 and substitute "SERVE AS A WATCHER, AND "CONDUCT OF THE ELECTION" MEANS ANY ELECTION ACTIVITY AT WHICH AN ELECTION JUDGE OR AN ELECTION OFFICIAL MAY BE PRESENT.".".

Amendment No. 5(L.008), by Senator Tate.

Amend the Tate floor amendment (SB138_L.006), page 1, line 11, strike "ELECTION."." and substitute "ELECTION WITHOUT UNDUE HINDRANCE, OBSTRUCTION, OR DELAY.".".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-103 by Senator(s) Merrifield, Todd, Kerr, Zenzinger, Jones; --Concerning implementing research-based early learning strategies as corrective actions in the public elementary and secondary education accountability system.

Laid over until Wednesday, April 12, retaining its place on the calendar.

HB17-1012 by Representative(s) Esgar; also Senator(s) Garcia--Concerning the creation of a Pueblo chile license plate.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-002 by Senator(s) Martinez Humenik, Grantham; also Representative(s) Lawrence--Concerning the compulsory review of rules by each principal department, and, in connection therewith, establishing a triennial basis for each review to be conducted.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 15, page(s) 217-218 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 6, page 693 and placed in members' bill files.)

Amendment No. 3(L.005), by Senator Martinez Humenik.

Amend printed bill, page 2, line 3, strike "and (4); and **repeal** (3)" and substitute "(3), and (4)".

Page 3, line 16, strike "~~24-34-104.~~" and substitute "~~24-34-104~~ IN ADDITION TO THE COMPULSORY TRIENNIAL REVIEWS REQUIRED UNDER SUBSECTION (1) OF THIS SECTION, EACH PRINCIPAL DEPARTMENT IS ENCOURAGED TO ANALYZE, IN ANY YEAR IN WHICH A COMPULSORY TRIENNIAL REVIEW IS NOT DUE, THE PRINCIPAL DEPARTMENT'S RULES TO ENSURE THAT THE RULES CONFORM TO ANY FEDERAL OR STATE LAWS ENACTED, OR ANY FEDERAL OR STATE RULES PROMULGATED, WITHIN THE PREVIOUS YEAR. EACH PRINCIPAL DEPARTMENT IS FURTHER ENCOURAGED TO INCLUDE THE FINDINGS OF SUCH OPTIONAL REVIEWS WITH ITS DEPARTMENTAL REGULATORY AGENDA THAT IT SUBMITS TO THE STAFF OF THE LEGISLATIVE COUNCIL FOR DISTRIBUTION TO THE APPLICABLE COMMITTEE OF REFERENCE OF THE GENERAL ASSEMBLY AS OUTLINED IN SECTION 2-7-203.".

Page 3, line 18, after "COMPULSORY" insert "TRIENNIAL".

As amended, laid over until Tuesday, April 11, retaining its place on the calendar.

SB17-180 by Senator(s) Cooke; also Representative(s) Esgar--Concerning a streamlined approach for the enforcement of regulations governing motor carriers in matters before the public utilities commission.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, March 1, page 319 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Cooke.

Amend printed bill, page 3, strike lines 24 through 27 and substitute:

"(4) If a person ~~receives more than two civil penalty assessments for violation of~~ VIOLATES subsection (1) of this section THREE TIMES within ~~one year~~ TWENTY-FOUR MONTHS, the PERSON MAY BE ASSESSED A civil penalty ~~assessed~~ UP TO THREE TIMES THE AMOUNT SPECIFIED BY RULE FOR THE THIRD VIOLATION AND for each subsequent violation. ~~may be three times the amount specified by rule for the violation.~~".

Page 4, strike lines 1 and 2.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-003 by Senator(s) Smallwood; also Representative(s) Neville P.--Concerning the repeal of the "Colorado Health Benefit Exchange Act".

Laid over until Monday, April 17, retaining its place on the calendar.

SB17-039 by Senator(s) Lundberg, Holbert, Lambert, Marble, Neville T.; --Concerning the creation of income tax credits for nonpublic education.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 6, page 695 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.)

SB17-075 by Senator(s) Crowder; also Representative(s) Landgraf--Concerning a state income tax deduction for military retirement benefits.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 6, page(s) 695-696 and placed in members' bill files.)

As amended, laid over until Tuesday, April 11, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (SB17-186, SB17-188, SB17-198, SB17-192, SB17-202, SB17-243) of Monday, April 10, 2017, was laid over until Tuesday, April 11, 2017, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB17-039 by Senator(s) Lundberg, Holbert, Lambert, Marble, Neville T.; --Concerning the creation of income tax credits for nonpublic education.

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr floor amendment, (L.001) to SB17-039, did pass.

> Amend printed bill, page 14, strike lines 8 through 17 and substitute:
> "**SECTION 4. Refer to people under referendum.** At the election held on November 6, 2018, the secretary of state shall submit this act by its ballot title to the registered electors of the state for their approval or rejection. Each elector voting at the election may cast a vote either "Yes/For" or "No/Against" on the following ballot title: "Shall there be a change to the Colorado Revised Statutes to create income tax credits for nonpublic education?" Except as otherwise provided in section 1-40-123, Colorado Revised Statutes, if a majority of the electors voting on the ballot title vote "Yes/For", then the act will become part of the Colorado Revised Statutes.".

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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr floor amendment, (L.002) to SB17-039, did pass.

Amend printed bill, page 10, after line 2 insert:

"(9) STATE MONEY OR ANY MONEY THAT WOULD OTHERWISE BE ALLOCATED TO PUBLIC SCHOOLS SHALL NOT BE USED TO PAY FOR OR SUPPORT A SCHOOL VOUCHER, EDUCATION SAVINGS ACCOUNT, OR TAX CREDIT SCHOLARSHIP PROGRAM OR SIMILAR PROGRAM THROUGH WHICH A CHILD MAY USE STATE MONEY FOR NONPUBLIC EDUCATION.".

Page 14, after line 7 insert:

"(5) STATE MONEY OR ANY MONEY THAT WOULD OTHERWISE BE ALLOCATED TO PUBLIC SCHOOLS SHALL NOT BE USED TO PAY FOR OR SUPPORT A SCHOOL VOUCHER, EDUCATION SAVINGS ACCOUNT, OR TAX CREDIT SCHOLARSHIP PROGRAM OR SIMILAR PROGRAM THROUGH WHICH A CHILD MAY USE STATE MONEY FOR NONPUBLIC EDUCATION.".

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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-211 as amended, SB17-138 as amended, SB17-180 as amended, SB17-039 as amended, HB17-1203 as amended, HB17-1201 as amended, HB17-1188, HB17-1012.
Laid over until Tuesday, April 11: HB17-1186, SB17-002 as amended, SB17-075 as amended, SB17-186, SB17-188, SB17-198, SB17-192, SB17-202, SB17-243.
Laid over until Wednesday, April 12: SB17-103.
Laid over until Monday, April 17: SB17-003.
Referred to the Committee on Business, Labor, & Technology: HB17-1214.

MESSAGE FROM THE HOUSE

April 10, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1257, 1294, 1304.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1273, amended as printed in House Journal, April 7, 2017.
HB17-1274, amended as printed in House Journal, April 7, 2017.

The House has passed on Third Reading and returns herewith SB17-255, 257, 260, 261, 263, 265, 266, 214, 246.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB17-258, amended as printed in House Journal, April 7, 2017.
SB17-259, amended as printed in House Journal, April 7, 2017.
SB17-264, amended as printed in House Journal, April 7, 2017.
SB17-254, amended as printed in House Journal, April 7, 2017.
SB17-233, amended as printed in House Journal, April 7, 2017.
SB17-241, amended as printed in House Journal, April 7, 2017.
SB17-234, amended as printed in House Journal, April 7, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

April 10, 2017

We herewith transmit:

Without comment, HB17-1257, 1294, and 1304.
Without comment, as amended, HB17-1273 and 1274.
Without comment, as amended, SB17-233, 234, 241, 254, 258, 259, and 264.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR17-029.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, April 11, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

91st Legislative Day Tuesday, April 11, 2017

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 Fields.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Monday, April 10, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

REPORT OF CONFERENCE COMMITTEE

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB17-213

****
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 SB17-213, concerning authorization for automated driving systems to control motor vehicles throughout Colorado, 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 5, strike lines 25 and 26 and substitute "IS DETERMINED IN ACCORDANCE WITH APPLICABLE STATE LAW, FEDERAL LAW, OR COMMON LAW.".

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Owen Hill, Chairman	Faith Winter, Chairman
Bob Gardner	Jeff Bridges
Dominick Moreno	Paul Lundeen

COMMITTEE OF REFERENCE REPORTS

Judiciary

After consideration on the merits, the Committee recommends that **SB17-216** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, strike lines 6 and 7, and substitute:

"**SECTION 3.** In Colorado Revised Statutes, 12-14-103, **repeal** (1.5) as".

Page 3, strike lines 13 through 27.

Page 3, after line 27, insert:

"**SECTION 4.** In Colorado Revised Statutes, 12-14-111, **add** (2), (3), and (4) as follows:

12-14-111. Legal actions by collection agencies. (2) A DEBT COLLECTOR OR COLLECTION AGENCY WHO BRINGS A LEGAL ACTION ON A DEBT OWNED BY A DEBT BUYER SHALL ATTACH THE FOLLOWING MATERIALS TO THE COMPLAINT OR FORM:

(a) (I) A COPY OF THE CONTRACT, ACCOUNT-HOLDER AGREEMENT, OR OTHER WRITING FROM THE ORIGINAL CREDITOR OR THE CONSUMER EVIDENCING THE CONSUMER'S AGREEMENT TO THE ORIGINAL DEBT;

(II) IN THE CASE OF A MEDICAL DEBT, A COPY OF A REDACTED ITEMIZATION OF CHARGES INCURRED;

(III) IF A SIGNED WRITING EVIDENCING THE ORIGINAL DEBT DOES NOT EXIST, A COPY OF THE DOCUMENT PROVIDED TO THE CONSUMER WHILE THE ACCOUNT WAS ACTIVE, DEMONSTRATING THAT THE DEBT WAS INCURRED BY THE CONSUMER; OR, FOR A CREDIT CARD DEBT, THE MOST RECENT MONTHLY STATEMENT RECORDING A PURCHASE TRANSACTION, PAYMENT, OR BALANCE TRANSFER; OR

(IV) IF A CLAIM IS BASED ON AN ELECTRONIC TRANSACTION FOR WHICH A SIGNED WRITING EVIDENCING THE ORIGINAL DEBT NEVER EXISTED, A COPY OF THE RECORDS CREATED DURING THE TRANSACTION EVIDENCING THE CONSUMER'S AGREEMENT TO THE DEBT AND RECORDING THE DATE AND TERMS OF THE TRANSACTION AND INFORMATION PROVIDED BY THE CONSUMER DURING THE TRANSACTION; AND

(b) A COPY OF THE ASSIGNMENT OR OTHER WRITING ESTABLISHING THAT THE DEBT BUYER IS THE OWNER OF THE DEBT. IF THE DEBT WAS ASSIGNED MORE THAN ONCE, EACH ASSIGNMENT OR OTHER WRITING EVIDENCING TRANSFER OF OWNERSHIP MUST BE ATTACHED TO ESTABLISH AN UNBROKEN CHAIN OF OWNERSHIP, BEGINNING WITH THE ORIGINAL CREDITOR TO THE FIRST DEBT BUYER AND EACH SUBSEQUENT SALE.

(3) PRIOR TO ENTRY OF A DEFAULT JUDGMENT AGAINST A CONSUMER IN A LEGAL ACTION ON A DEBT OWNED BY A DEBT BUYER, THE PLAINTIFF SHALL FILE WITH THE COURT EVIDENCE THAT SATISFIES THE REQUIREMENTS OF RULES 803(6) AND 902(11) OF THE COLORADO RULES OF EVIDENCE OR IS OTHERWISE AUTHORIZED BY LAW OR RULE THAT ESTABLISHES THE AMOUNT AND NATURE OF THE DEBT AND INCLUDE:

(a) THE ORIGINAL ACCOUNT NUMBER AT CHARGE-OFF;

(b) THE ORIGINAL CREDITOR AT CHARGE-OFF;

(c) THE AMOUNT DUE AT CHARGE-OFF OR, IF THE BALANCE HAS NOT BEEN CHARGED OFF, AN ITEMIZATION OF THE AMOUNT CLAIMED TO BE OWED, INCLUDING THE PRINCIPAL, INTEREST, FEES, AND OTHER CHARGES OR REDUCTIONS FROM PAYMENT MADE OR OTHER CREDITS;

(d) AN ITEMIZATION OF POST CHARGE-OFF ADDITIONS, IF ANY;

(e) (I) THE DATE OF THE LAST PAYMENT, IF APPLICABLE; OR

(II) THE DATE OF THE LAST TRANSACTION; AND

(f) IF THE ACCOUNT IS NOT A REVOLVING CREDIT ACCOUNT, THE DATE THE DEBT WAS INCURRED.

(4) IN THE ABSENCE OF EVIDENCE REQUIRED BY SUBSECTIONS (2)(a) OR (2)(b) OF THIS SECTION, AN AFFIDAVIT DOES NOT SATISFY THE REQUIREMENTS OF THESE SUBSECTIONS.".

Renumber succeeding sections accordingly.

Page 4, line 16, strike "(1)" and substitute "(1); and **add** (6), (7), and (8) as follows:".

Page 4, after line 21, insert:

"(6) THE ADMINISTRATOR SHALL PREPARE A REPORT ACCOUNTING FOR THE EFFICIENT DISCHARGE OF ALL RESPONSIBILITIES ASSIGNED BY LAW AND THE GENERAL ADMINISTRATION OF THE PROGRAM ON A BIANNUAL BASIS. IN ADDITION TO ANY OTHER INFORMATION DEEMED RELEVANT BY THE ADMINISTRATOR, THE BIANNUAL REPORT SHALL ADDRESS WITH SPECIFICITY THE FOLLOWING: ENFORCEMENT ACTIONS COMPLETED AND WHETHER THOSE ACTIONS WERE APPEALED OR OTHERWISE CHALLENGED, THE NUMBER OF COMPLAINTS PROCESSED AND DETAILS AS TO OUTCOMES AND RESOLUTIONS OF COMPLAINTS, AND CHANGES TO THE PROGRAM AND HOW THEY RELATE TO INDUSTRY OR CONSUMER CONCERNS. THE REPORT SHALL INCLUDE A DESCRIPTION OF ANY SIGNIFICANT LEGAL FILINGS SUCH AS AMICUS BRIEFS IN ANY COURT AND A SUMMARY OF NEW REGULATIONS, LEGAL DEVELOPMENTS THAT DIRECTLY IMPACT THE PROGRAM OR PROGRAM CHANGES, AND ANY SIGNIFICANT MATTERS THAT NEED TO BE ADDRESSED AT THE REQUEST OF THE REGULATED COMMUNITY OR PUBLIC. THE REPORT SHALL BE SUBMITTED TO THE SENATE JUDICIARY COMMITTEE AND THE HOUSE JUDICIARY COMMITTEE AND PUBLISHED ON THE ATTORNEY GENERAL'S WEBSITE BY JULY 1 AND DECEMBER 31 OF EACH YEAR.

(7) IN ORDER TO FACILITATE INFORMATION SHARING, TO PRESENT THE BIANNUAL REPORT OR SIMILAR INFORMATION, AND TO SOLICIT INFORMATION RELEVANT TO THE GENERAL ADMINISTRATION OF THE PROGRAM, THE ADMINISTRATOR, OR REPRESENTATIVE DESIGNATED BY THE ATTORNEY GENERAL, SHALL ATTEND MEETINGS AND CONFERENCES OF INTERESTED AND RELEVANT GROUPS AND ASSOCIATIONS. UPON ATTENDANCE, THE ADMINISTRATOR SHALL HAVE MINUTES FROM THOSE MEETINGS PREPARED AND PUBLISHED ON THE ATTORNEY GENERAL'S WEBSITE AND MADE PART OF THE NEXT BIANNUAL REPORT. THE ADMINISTRATOR, OR DESIGNEE, SHALL ATTEND THE FOLLOWING ON AN ANNUAL BASIS:

(a) AT THE INVITATION OF THE COLLECTION AGENCY INDUSTRY, ONE LOCAL AND ONE NATIONAL ASSOCIATION OF COLLECTION AGENCIES OR OTHER COLLECTION AGENCY TRADE ASSOCIATION MEETING;

(b) AT THE INVITATION OF THE COLLECTION AGENCY INDUSTRY, ONE ANNUAL MEETING OF OTHER BUSINESS ENTITY ASSOCIATIONS OR GROUPS THAT REPRESENT CLIENTS OF COLLECTION AGENCIES, DEBT BUYERS, OR OTHER RELATED TRADE ASSOCIATIONS; AND

(c) ONE ANNUAL MEETING OF A RELEVANT CONSUMER ADVOCACY ASSOCIATION.

(8) THE ADMINISTRATOR SHALL HOST AN ANNUAL PUBLIC MEETING IN JANUARY OF EACH YEAR, WITH DIRECT NOTICE AT LEAST ONE MONTH IN ADVANCE TO CONSUMER ADVOCACY GROUPS AND ASSOCIATIONS AND OTHER INTERESTED PARTIES. THE ADMINISTRATOR SHALL ALSO HOST AN ANNUAL PUBLIC MEETING IN JULY OF EACH YEAR WITH DIRECT NOTICE AT LEAST ONE MONTH IN ADVANCE TO LICENSEES, INDUSTRY GROUPS, CLIENT GROUPS AND OTHER INTERESTED PARTIES.".

Page 5, strike lines 22 through 27.

Page 6, strike line 1.

Renumber succeeding sections accordingly.

Page 6, line 7, strike "FOUR" and substitute "TWO".

Page 6, after line 17, insert:

"**SECTION 12.** In Colorado Revised Statutes, **add** 12-14-136.5 as follows:

12-14-136.5. Debts sold or resold after January 1, 2018. THIS PART 1 APPLIES TO DEBT BUYERS WITH RESPECT TO CONSUMER DEBTS SOLD OR RESOLD ON OR AFTER JANUARY 1, 2018.

SECTION 13. Effective date. This act takes effect upon passage; except that section 4 of this act takes effect January 1, 2018.".

Renumber succeeding section accordingly.

Judiciary	After consideration on the merits, the Committee recommends that **SB17-229** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
Judiciary	After consideration on the merits, the Committee recommends that **SB17-281** be referred to the Committee of the Whole with favorable recommendation.
Judiciary	After consideration on the merits, the Committee recommends that **HB17-1209** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
Judiciary	After consideration on the merits, the Committee recommends that **HB17-1230** be postponed indefinitely.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that **HB17-1150** 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 **HB17-1155** 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 **HB17-1223** 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 Engrossed: SB17-039, 138, 180, and 211.
Correctly Reengrossed: SB17-028, 091, 126, 212, and 249.
Correctly Revised: HB17-1012, 1188, 1201, and 1203.
Correctly Rerevised: HB17-1027, 1070, 1120, 1177, 1189, 1215, 1218, 1221, and 1224.
Correctly Enrolled: SB17-214, 246, 255, 257, 260, 261, 263, and 266.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege, and Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-031 by Senator(s) Kagan and Tate; also Representative(s) Hooton--Concerning recognizing "National Ovarian Cancer Awareness Month".

On motion of Senator Kagan, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Todd, Williams A., and Zenzinger.

HJR17-1022 by Representative(s) Danielson and Jackson; also Senator(s) Donovan and Kerr--Concerning the designation of April 4, 2017, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persisting problem of wage disparity among various groups.

On motion of Senator Donovan, the resolution was read at length and **adopted** by the following roll call vote:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Court, Crowder, Fenberg, Fields, Garcia, Guzman, Jahn, Jones, Kagan, Kefalas, Merrifield, Moreno, Todd, Williams A., and Zenzinger.

The Senate proceeded out of order for moments of personal privilege.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB17-201 by Senator(s) Cooke and Fields; also Representative(s) Lee--Concerning the continuation of the domestic violence offender management board, and, in connection therewith, implementing the recommendations of the 2016 sunset report issued by the department of regulatory agencies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Crowder, Garcia, Gardner, Hill, Jahn, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Scott, Smallwood, Tate, Todd, and Williams A.

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:

SB17-211 by Senator(s) Scott; --Concerning a requirement that a state agency accept the full amount of a bid security bond issued by a surety company to a prospective contractor for a public project.

Laid over until Wednesday, April 12, retaining its place on the calendar.

HB17-1203 by Representative(s) Lebsock; also Senator(s) Martinez Humenik and Crowder--Concerning the authority of certain local governments to levy a special sales tax on retail marijuana in certain circumstances subject to voter approval by the eligible electors of the local government.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	N
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB17-1201 by Representative(s) Coleman, Lundeen; also Senator(s) Zenzinger and Priola, Todd--Concerning authorization for granting a high school diploma endorsement in the combined disciplines of science, technology, engineering, and mathematics.

Laid over until Wednesday, April 12, retaining its place on the calendar.

HB17-1188 by Representative(s) Foote; also Senator(s) Coram and Moreno--Concerning bias-motivated harassment.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Guzman, Jahn, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Todd, Williams A., and Zenzinger.

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.

Laid over until Thursday, April 13, retaining its place on the calendar.

HB17-1012 by Representative(s) Esgar; also Senator(s) Garcia--Concerning the creation of a Pueblo chile license plate.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Gardner, Grantham, Kefalas, Kerr, Lambert, Merrifield, Moreno, Tate, and Todd.

SB17-180 by Senator(s) Cooke; also Representative(s) Esgar--Concerning a streamlined approach for the enforcement of regulations governing motor carriers in matters before the public utilities commission.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman, Martinez Humenik, Tate, and Todd.

SB17-039 by Senator(s) Lundberg, Holbert, Lambert, Marble, Neville T.; --Concerning the creation of income tax credits for nonpublic education, and, in connection therewith, reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Grantham, Smallwood, and Tate.

Committee of the Whole

On motion of Senator Gardner, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Gardner was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1219 by Representative(s) Arndt and McLachlan; also Senator(s) Crowder and Donovan--Concerning an extension of the agricultural water leasing pilot program administered by the Colorado water conservation board.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1185 by Representative(s) Singer; also Senator(s) Smallwood--Concerning reports of suspected child abuse or neglect.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-279 by Senator(s) Zenzinger and Martinez Humenik; also Representative(s) Beckman and Gray--Concerning clarification of the applicability provisions of recent legislation to promote an equitable financial contribution among affected public bodies in connection with urban redevelopment projects allocating tax revenues.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, April 7, page 709 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 -- CONSENT CALENDAR

On motion of Senator Gardner, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-279 as amended, HB17-1219, HB17-1185.

RECONSIDERATION OF HB17-1203

HB17-1203 by Representative(s) Lebsock; also Senator(s) Martinez Humenik and Crowder--Concerning the authority of certain local governments to levy a special sales tax on retail marijuana in certain circumstances subject to voter approval by the eligible electors of the local government.

Having voted on the prevailing side, Senator Baumgardner moved for reconsideration of the last Senate action, Third Reading of Bills Final Passage, on **HB17-1203**.

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 titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1203 by Representative(s) Lebsock; also Senator(s) Martinez Humenik and Crowder--Concerning the authority of certain local governments to levy a special sales tax on retail marijuana in certain circumstances subject to voter approval by the eligible electors of the local government.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES 19		NO 16		EXCUSED 0		ABSENT 0	
Aguilar	Y	Garcia	Y	Kerr	N	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Committee of the Whole

On motion of Senator Gardner, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gardner was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1186 by Representative(s) Pettersen and Landgraf; also Senator(s) Coram--Concerning a requirement that health benefit plans required to cover contraception reimburse dispensers for dispensing a multiple-months' supply of prescription contraceptives.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-188 by Senator(s) Marble, Baumgardner, Cooke, Holbert, Lundberg, Neville T., Sonnenberg; --Concerning the repeal of income tax credits for innovative motor vehicles for purchases and leases entered into on or after January 1, 2018.

Laid over until Monday, April 17, retaining its place on the calendar.

SB17-198 by Senator(s) Priola; also Representative(s) Garnett--Concerning public participation in the review by the commissioner of insurance of the acquisition of control of an insurer that offers health plans.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 23, page(s) 513-515 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 6, page 698 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-192 by Senator(s) Neville T., Jahn, Priola, Williams A.; also Representative(s) Melton and Singer--Concerning provisions to allow marijuana businesses to operate more efficiently.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 9, page(s) 379-385 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, March 17, page(s) 459-461 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, April 6, page 698 and placed in members' bill files.)

Amendment No. 4(L.019), by Senator Neville.

Amend the Business, Labor, and Technology Committee Report, dated March 8, 2017, page 9, line 16, strike "(1)(a)(I)" and substitute "(1)(a)(I); and **add** (3)".

Page 9, after line 40 insert:

"(3) THE DEPARTMENT OF REVENUE SHALL PROVIDE LOCAL GOVERNMENTS WITH INFORMATION REGARDING THE TAX COLLECTED PURSUANT TO THIS SECTION UNDER A CONFIDENTIAL SHARED-USE AGREEMENT.".

Amendment No. 5(L.020), by Senator Neville.

Amend the Business, Labor, and Technology Committee Report, dated March 8, 2017, page 10, line 13, after "section." insert "SUCH EXCISE TAX MUST BE CALCULATED BASED ON THE AVERAGE MARKET RATE OF THE UNPROCESSED RETAIL MARIJUANA.".

Page 10, line 27, after "facility." insert "SUCH EXCISE TAX MUST BE CALCULATED BASED ON THE AVERAGE MARKET RATE OF THE UNPROCESSED RETAIL MARIJUANA.".

Page 11, line 2, after "facility." insert "SUCH EXCISE TAX MUST BE CALCULATED BASED ON THE AVERAGE MARKET RATE OF THE UNPROCESSED RETAIL MARIJUANA.".

Amendment No. 6(L.021), by Senator Neville.

Amend the Finance Committee Report, dated March 16, 2017, page 3, lines 16 and 17, strike "ONE HUNDRED EIGHTY" and substitute "THIRTY".

Page 3, line 17, strike "TRANSFER".

Page 3, line 18, strike "CONVERSION." and substitute "CONVERSION EITHER IN THE SEED-TO-SALE TRACKING SYSTEM OR PHYSICALLY AND THEN IN THE SEED-TO-SALE TRACKING SYSTEM, DEPENDING ON THE CIRCUMSTANCES.".

Page 3, lines 20 and 21, strike "ONE HUNDRED EIGHTY" and substitute "THIRTY".

Page 3, line 25, strike "ONE HUNDRED EIGHTY DAYS" and substitute "THIRTY".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-202 by Senator(s) Coram; also Representative(s) Esgar--Concerning measures to conserve native species in Colorado, and, in connection therewith, making appropriations from the species conservation trust fund for purposes recommended by the department of natural resources.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB17-243 by Senator(s) Baumgardner and Todd; also Representative(s) Jackson--Concerning the continuation under the sunset law of the motorcycle operator safety training program by the director of the office of transportation safety in the department of transportation, and, in connection therewith, transferring the operation of the program to the chief of the state patrol beginning in 2018.

Amendment No. 1(L.003), by Senator Todd.

Amend printed bill, page 4, line 21, after "(1)(a)" insert "and (1)(d) introductory portion".

Page 4, after line 25 insert:

"(d) Nine members appointed by the ~~executive director of the department of transportation~~ CHIEF OF THE COLORADO STATE PATROL:".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-121 by Senator(s) Crowder and Lundberg; also Representative(s) Danielson and Landgraf--Concerning improving medicaid client correspondence.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 17, page(s) 234-235 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 7, page(s) 705-706 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1008 by Representative(s) Arndt, Becker J.; also Senator(s) Sonnenberg--Concerning an exemption from the water quality control commission's graywater control regulations for graywater used for the purpose of scientific research involving human exposure.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1233 by Representative(s) Arndt; also Senator(s) Crowder--Concerning protection of the historical consumptive use analysis of a water right involved in a water conservation program.

Amendment No. 1(L.001), by Senator Crowder.

Amend reengrossed bill, page 2, lines 6 and 7, strike "right, ~~in division 4, 5, or 6,~~" and substitute "right in division ~~4, 5, or 6~~ 1, 2, 3, 4, 5, OR 6,".

As amended, lost on second reading.

(For further action, see amendments to the report of the Committee of the Whole.)

SB17-272 by Senator(s) Priola; also Representative(s) Pettersen and Lundeen--Concerning adding a measure relating to demonstration of college and career readiness for determining a local education provider's attainment of the postsecondary and workforce readiness performance indicator.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 7, page 708 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1160 by Representative(s) Hamner and Wilson; also Senator(s) Priola and Fields--Concerning authorizing a local education provider to determine the language in which a student who is an English language learner takes reading assessments in kindergarten through third grade.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 7, page 708 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB17-268 by Senator(s) Smallwood and Kerr, Jahn, Neville T., Priola, Williams A.; also Representative(s) Ransom and Ginal, Landgraf, Liston, McKean--Concerning an increase in the number of pharmacy technicians a pharmacist may supervise.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 7, page 708 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-002 by Senator(s) Martinez Humenik, Grantham; also Representative(s) Lawrence--Concerning the compulsory review of rules by each principal department, and, in connection therewith, establishing a triennial basis for each review to be conducted.

(Amended in general orders as printed in Senate journal, April 10, page 730.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-075 by Senator(s) Crowder; also Representative(s) Landgraf--Concerning a state income tax deduction for military retirement benefits.

(Amended in general orders as printed in Senate journal, April 10, page 731.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-186 by Senator(s) Tate, Jahn, Priola, Smallwood, Williams A.; also Representative(s) Carver and Lawrence--Concerning methods to reduce the regulatory burden on businesses from administrative rules adopted by state agencies.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 6, page 697 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

Call of the Senate. Call raised.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB17-1233 by Representative(s) Arndt; also Senator(s) Crowder--Concerning protection of the historical consumptive use analysis of a water right involved in a water conservation program.

Senator Jones moved to amend the Report of the Committee of the Whole to show that HB17-1233, as amended, did pass.

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	Y	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Gardner, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-198 as amended, SB17-192 as amended, SB17-202, SB17-243 as amended, SB17-121 as amended, SB17-272 as amended, SB17-268 as amended, SB17-002 as amended, SB17-075 as amended, SB17-186 as amended, HB17-1186, HB17-1008, HB17-1233 as amended, HB17-1160 as amended.
Laid over until Monday, April 17: SB17-188.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-258 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning the use of open educational resources in public institutions of higher education, and, in connection therewith, making an appropriation.

Laid over until Wednesday, April 12, retaining its place on the calendar.

SB17-259 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning a transfer of money from the general fund to cash funds administered by state departments for the protection of the state's natural resources.

Laid over until Wednesday, April 12, retaining its place on the calendar.

SB17-264 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Young, Hamner, Rankin--Concerning funding sources related to services for behavioral or mental health disorders.

Senator Moreno moved that the Senate not concur in House amendments to **SB17-264**, as printed in House journal, April 6, page 794, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senators Lambert, Chair, Lundberg, and Moreno, were appointed as Senate conferees on the first conference committee on **SB17-264**.

SB17-254 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.

Laid over until Wednesday, April 12, retaining its place on the calendar.

SB17-233 by Senator(s) Tate, Kerr, Martinez Humenik, Moreno; also Representative(s) Arndt, Hooton, Nordberg, Thurlow--Concerning the scheduled repeal of reports by the department of law to the general assembly.

Senator Tate moved that the Senate concur in House amendments to **SB17-233**, as printed in House journal, April 7, page 825. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-241 by Senator(s) Tate, Kerr, Martinez Humenik, Moreno; also Representative(s) Hooton, Arndt, Nordberg, Thurlow--Concerning the scheduled repeal of reports by the judicial department to the general assembly.

Senator Tate moved that the Senate concur in House amendments to **SB17-241**, as printed in House journal, April 7, page 825. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-234 by Senator(s) Kerr, Martinez Humenik, Moreno, Tate; also Representative(s) Thurlow, Arndt, Hooton, Nordberg--Concerning the scheduled repeal of reports by the department of human services to the general assembly.

Senator Kerr moved that the Senate concur in House amendments to **SB17-234**, as printed in House journal, April 7, page 826. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO SCHOOL OF MINES, BOARD OF TRUSTEES

effective December 31, 2016 for terms expiring December 31, 2020:

Timothy John Haddon of Denver, Colorado, an Unaffiliated, to serve as a graduate of the Colorado School of Mines, reappointed;

Jesus Juan Salazar of Denver, Colorado, a Democrat, to serve as a graduate of the Colorado School of Mines, appointed;

Charles S. McNeil of Cherry Hills Village, Colorado, a Republican, to serve as a graduate, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
COLLEGEINVEST BOARD OF DIRECTORS

for a term expiring July 31, 2020:

Jason B. Maples, CLU, ChFC, CFP of Greenwood Village, Colorado, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Sonnenberg, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
WATER QUALITY CONTROL COMMISSION

for terms expiring February 15, 2019:

Barbara Jean Biggs of Denver, Colorado, reappointed;

Kevin James Greer, PE of Englewood, Colorado, appointed;

Fredrick J. Menzer of Breckenridge, Colorado, appointed.

for terms expiring February 15, 2020:

Jane Kees Clary of Centennial, Colorado, appointed;

David Baumgarten of Gunnison, Colorado to serve as a representative who lives west of the continental divide, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB17-1144, 1194.

MESSAGE FROM THE HOUSE

April 11, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1018, as printed in House Journal, April 11, 2017.

The House has adopted and returns herewith SJR17-031.

The House has adopted the First Report of the First Conference Committee on SB17-213, as printed in House Journal, April 10, 2017, and has repassed the bill as so amended. The bill is returned herewith.

The House has voted not to concur in the Senate amendments to HB17-1070 and requests that a conference committee be appointed. The Speaker has appointed Representatives Wilson, chairman, Salazar, and Valdez as House conferees on the First Conference Committee on HB17-1070. The bill is transmitted herewith.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB17-213 by Senator(s) Hill and Moreno; also Representative(s) Winter and Bridges, Lundeen--Concerning authorization for automated driving systems to control motor vehicles throughout Colorado.

Senator Hill moved for the adoption of the first report of the first conference committee on **SB17-213**, as printed in Senate journal, April 11, page 735. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB17-1272** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB17-1200** be referred to the Committee on Appropriations with favorable recommendation.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-131** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-206** be postponed indefinitely.

Appro-priations — After consideration on the merits, the Committee recommends that **HB17-1158** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations — After consideration on the merits, the Committee recommends that **HB17-1181** 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 **SB17-009** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 4 insert:

"**SECTION 2. Appropriation.** For the 2017-18 state fiscal year, $765,000 is appropriated to the department of education. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the state share of districts' total program funding.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**PROPERTY.**" and substitute "**PROPERTY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-107** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, after line 4 insert:

"**SECTION 2. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state money is necessary to carry out the purposes of this act.".

Renumber succeeding section accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **SB17-238** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Finance Committee Report, dated April 4, 2017, page 2, strike line 12 and substitute:

""**SECTION 2. Appropriation - adjustments to 2017 long bill.** To implement this act, the general fund appropriation made in the annual general appropriation act for the 2017-18 state fiscal year to the department of revenue for use by the taxation and compliance division for personal services is decreased by $20,387 and the related FTE is decreased by 0.5 FTE.

SECTION 3. Applicability. This act applies to all purchases".

Renumber succeeding section accordingly.

Page 2 of the Report, after line 17 insert:

"Page 1 of the bill, line 102, strike "**PROVIDE.**" and substitute "**PROVIDE, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.**".".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-240** 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 54, after line 7 insert:

"**SECTION 57. Appropriation.** (1) For the 2017-18 state fiscal year, $12,568 is appropriated to the department of revenue. This appropriation is from the auto dealers license fund created in section 12-6-123 (1), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $8,000 for tax administration IT system (GenTax) support; and

(b) $4,568 for use by the executive director's office for postage.

(2) For the 2017-18 state fiscal year, $162,983 is appropriated to

the department of public safety for use by the biometric identification and records unit. This appropriation is from the Colorado bureau of investigation unit fund created in section 24-33.5-426, C.R.S., and is based on an assumption that the bureau will require an additional 0.8 FTE. To implement this act, the unit may use this appropriation to provide criminal history record checks.".

Renumber succeeding sections accordingly.

Page 1, line 105, strike "**AGENCIES.**" and substitute "**AGENCIES AND MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-236** 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 **SB17-284** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 12, after line 12 insert:

"**SECTION 3. Appropriation.** (1) For the 2017-18 state fiscal year, $58,243 is appropriated to the department of law for use by the administration division. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows: (a) $52,590 for personal services, which amount is based on an assumption that the department will require an additional 0.9 FTE; and (b) $5,653 for operating expenses.".

Renumber succeeding sections accordingly.

Page 1, line 103 strike "**ACT".**" and substitute "**ACT", AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **HB17-1106** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB17-288** be referred to the Committee of the Whole with favorable recommendation.

COMMITTEE APPOINTMENTS

April 10, 2017

Mr. Mike Mauer
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Mr. Mike Mauer:

Please be advised that I am appointing Senator Daniel Kagan to replace Senator Andy Kerr to serve on the Finance Committee effective April 12, 2017.

Sincerely,
(signed)
Lucia Guzman
Senate Minority Leader

April 10, 2017

Mr. Mike Mauer
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Mr. Mike Mauer:

Please be advised that I am appointing Senator John Kefalas to replace Senator Andy Kerr to serve on the Business, Labor and Technology Committee effective April 10, 2017.

Sincerely,
(signed)
Lucia Guzman
Senate Minority Leader

April 10, 2017

Mr. Mike Mauer
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Mr. Mike Mauer:

Please be advised that I am appointing Senator Irene Aguilar to replace Senator John Kefalas to serve on the Local Government Committee effective April 10, 2017.

Sincerely,
(signed)
Lucia Guzman
Senate Minority Leader

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Representative Danielson was added as a House joint prime sponsor on SB17-075 with Senator Crowder and Representative Landgraf.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, April 12, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

92nd Legislative Day Wednesday, April 12, 2017

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community: A Mennonite Congregation, Littleton.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--32
Absent--1, Scott.
Excused--2, Kagan, Priola.
Present later--3, Kagan, Priola, Scott.

Quorum — The President announced a quorum present.

Pledge — By Senator Fields.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Tuesday, April 11, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance — After consideration on the merits, the Committee recommends that **SB17-267** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 5, line 12, strike "17-_____," and substitute "17-267,".

Page 6, strike lines 4 through 27.

Strike page 7.

Page 8, strike lines 1 and 2 and substitute:

"**SECTION 3.** In Colorado Revised Statutes, 24-75-219, **repeal as amended by Senate Bill 17-262** (2)(c); and **repeal as added by Senate Bill 17-262** (2)(c.3)(I) and (2)(c.7)(I) as follows:

24-75-219. Transfers - transportation - capital construction - definitions. (2) (c) ~~On June 30, 2018, the state treasurer shall transfer seventy-nine million dollars from the general fund to the highway users tax fund.~~

(c.3) On June 30, 2019, the state treasurer shall transfer:

(I) ~~One hundred sixty million dollars from the general fund to the highway users tax fund; and~~

(c.7) On June 30, 2020, the state treasurer shall transfer:

(I) ~~One hundred sixty million dollars from the general fund to the highway users tax fund; and~~".

Page 9, strike lines 14 through 27.

Strike pages 10 through 16.

Page 17, strike lines 1 through 17 and substitute:

"**SECTION 5.** In Colorado Revised Statutes, **add** part 13 to article 82 of title 24 as follows:

24-82-1301. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) DUE TO INSUFFICIENT FUNDING, NECESSARY HIGH-PRIORITY STATE HIGHWAY PROJECTS AND STATE CAPITAL CONSTRUCTION PROJECTS, INCLUDING PROJECTS AT STATE INSTITUTIONS OF HIGHER EDUCATION, IN ALL AREAS OF THE STATE HAVE BEEN DELAYED, AND THE STATE HAS ALSO DELAYED CRITICAL CONTROLLED MAINTENANCE AND UPKEEP OF STATE CAPITAL ASSETS;

(b) BY ISSUING LEASE-PURCHASE AGREEMENTS USING STATE BUILDINGS AS COLLATERAL AS AUTHORIZED BY THIS PART 13, THE STATE CAN GENERATE SUFFICIENT FUNDS TO ACCELERATE THE COMPLETION OF MANY OF THE NECESSARY HIGH-PRIORITY STATE HIGHWAY PROJECTS AND CAPITAL CONSTRUCTION PROJECTS THAT HAVE BEEN DELAYED AND BETTER MAINTAIN AND PRESERVE EXISTING STATE CAPITAL ASSETS;

(c) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT:

(I) A MAJORITY OF THE ADDITIONAL FUNDING FOR STATE CAPITAL CONSTRUCTION PROJECTS REALIZED FROM ISSUING LEASE-PURCHASE AGREEMENTS BE USED FOR RENOVATION AND RENEWAL PROJECTS; AND

(II) MORE OF THE STATE'S EXISTING CAPITAL CONSTRUCTION FUNDING BE DEDICATED TO CONTROLLED MAINTENANCE AND UPKEEP OF STATE CAPITAL ASSETS.

24-82-1302. Definitions. AS USED IN THIS PART 13, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ELIGIBLE STATE FACILITY" MEANS ANY FINANCIALLY UNENCUMBERED BUILDING, STRUCTURE, OR FACILITY THAT IS OWNED BY THE STATE, INCLUDING A BUILDING, STRUCTURE, OR FACILITY DETERMINED TO BE ELIGIBLE BY A GOVERNING BOARD OF A STATE INSTITUTION OF HIGHER EDUCATION.

(2) "CAPITAL CONSTRUCTION" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-30-1301 (2).

(3) "CONTROLLED MAINTENANCE" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-30-1301 (4).

(4) "STATE INSTITUTION OF HIGHER EDUCATION" MEANS A STATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN SECTION 23-18-102 (10), AND THE AURARIA HIGHER EDUCATION CENTER CREATED IN ARTICLE 70 OF TITLE 23.

24-82-1303. Lease-purchase agreements for capital construction and transportation projects. (1) ON OR BEFORE DECEMBER 31, 2017, THE STATE ARCHITECT, THE DIRECTOR OF THE OFFICE OF STATE PLANNING AND BUDGETING OR HIS OR HER DESIGNEE, AND THE STATE INSTITUTIONS OF HIGHER EDUCATION SHALL IDENTIFY AND PREPARE A COLLABORATIVE LIST OF ELIGIBLE STATE FACILITIES THAT CAN BE COLLATERALIZED AS PART OF THE LEASE-PURCHASE AGREEMENTS FOR CAPITAL CONSTRUCTION AND TRANSPORTATION PROJECTS AUTHORIZED IN THIS PART 13. THE TOTAL CURRENT REPLACEMENT VALUE OF THE IDENTIFIED BUILDINGS MUST EQUAL AT LEAST ONE BILLION SEVEN HUNDRED MILLION DOLLARS.

(2) (a) NOTWITHSTANDING THE PROVISIONS OF SECTIONS 24-82-102 (1)(b) AND 24-82-801, AND PURSUANT TO SECTION 24-36-121, NO SOONER THAN JULY 1, 2018, THE STATE, ACTING BY AND THROUGH THE STATE TREASURER, SHALL EXECUTE LEASE-PURCHASE AGREEMENTS EACH FOR NO MORE THAN TWENTY YEARS OF ANNUAL PAYMENTS FOR THE PROJECTS DESCRIBED IN SUBSECTION (5) OF THIS SECTION. A STATE INSTITUTION OF HIGHER EDUCATION MAY EITHER CONTRIBUTE THE FULL AMOUNT OF ITS SHARE OF THE COST OF THE PROJECT, AS DESCRIBED IN SUBSECTION (3) OF THIS SECTION, AT THE COMMENCEMENT OF THE PROJECT OR MAY HAVE ITS SHARE OF THE COST OF THE PROJECT INCLUDED IN THE LEASE-PURCHASE AGREEMENT.

(b) THE ANTICIPATED ANNUAL STATE-FUNDED PAYMENTS FOR THE PRINCIPAL AND INTEREST COMPONENTS OF THE AMOUNT PAYABLE UNDER ALL LEASE-PURCHASE AGREEMENTS ENTERED INTO SHALL NOT EXCEED ONE HUNDRED TWENTY-FIVE MILLION DOLLARS.

(c) THE STATE, ACTING BY AND THROUGH THE STATE TREASURER, AT THE STATE TREASURER'S SOLE DISCRETION, MAY ENTER INTO ONE OR MORE LEASE-PURCHASE AGREEMENTS AUTHORIZED BY SUBSECTION (2)(a) OF THIS SECTION WITH ANY FOR-PROFIT OR NONPROFIT CORPORATION, TRUST, OR COMMERCIAL BANK AS A TRUSTEE AS THE LESSOR.

(d) ANY LEASE-PURCHASE AGREEMENT EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION SHALL PROVIDE THAT ALL OF THE OBLIGATIONS OF THE STATE UNDER THE AGREEMENT ARE SUBJECT TO THE ACTION OF THE GENERAL ASSEMBLY IN ANNUALLY MAKING MONEY AVAILABLE FOR ALL PAYMENTS THEREUNDER. PAYMENTS UNDER ANY LEASE-PURCHASE AGREEMENT MUST BE MADE, SUBJECT TO ANNUAL ALLOCATION PURSUANT TO SECTION 43-1-113 BY THE TRANSPORTATION COMMISSION CREATED IN SECTION 43-1-106 (1) OR SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, AS APPLICABLE, FROM THE FOLLOWING SOURCES OF MONEY:

(I) THE CAPITAL CONSTRUCTION LEASE-PURCHASE AGREEMENT CASH FUND CREATED IN SUBSECTION (3) OF THIS SECTION;

(II) AN ANNUAL AMOUNT EQUAL TO THE PERCENTAGE OF THE TOTAL ANNUAL PAYMENTS ATTRIBUTABLE TO THE EXECUTED LEASE PURCHASE AGREEMENTS CREDITED TO THE STATE HIGHWAY FUND AS SPECIFIED IN SUBSECTION (5)(a) OF THIS SECTION, OR ANY LESSER AMOUNT THAT IS SUFFICIENT TO MAKE A FULL PAYMENT, FROM ANY LEGALLY AVAILABLE MONEY UNDER THE CONTROL OF THE TRANSPORTATION COMMISSION; AND

(III) THE REMAINDER OF THE AMOUNT NEEDED, IN ADDITION TO THE AMOUNT SPECIFIED IN SUBSECTION (2)(d)(I) OF THIS SECTION, TO MAKE THE FULL PAYMENT FROM THE GENERAL FUND OR ANY OTHER LEGALLY AVAILABLE SOURCE OF MONEY.

(e) EACH AGREEMENT MUST ALSO PROVIDE THAT THE OBLIGATIONS OF THE STATE DO NOT CREATE STATE DEBT WITHIN THE MEANING OF ANY PROVISION OF THE STATE CONSTITUTION OR STATE LAW CONCERNING OR LIMITING THE CREATION OF STATE DEBT AND ARE NOT A MULTIPLE FISCAL-YEAR DIRECT OR INDIRECT DEBT OR OTHER FINANCIAL OBLIGATION OF THE STATE WITHIN THE MEANING OF SECTION 20 (4) OF ARTICLE X OF THE STATE CONSTITUTION. IF THE STATE DOES NOT RENEW A LEASE-PURCHASE AGREEMENT EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION, THE SOLE SECURITY AVAILABLE TO THE LESSOR IS THE PROPERTY THAT IS THE SUBJECT OF THE NONRENEWED LEASE-PURCHASE AGREEMENT.

(f) A LEASE-PURCHASE AGREEMENT EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION MAY CONTAIN SUCH TERMS, PROVISIONS, AND CONDITIONS AS THE STATE TREASURER, ACTING ON BEHALF OF THE STATE, DEEMS APPROPRIATE, INCLUDING ALL OPTIONAL TERMS; EXCEPT THAT EACH LEASE-PURCHASE AGREEMENT MUST SPECIFICALLY AUTHORIZE THE STATE OR THE GOVERNING BOARD OF THE APPLICABLE STATE INSTITUTION OF HIGHER EDUCATION TO RECEIVE FEE TITLE TO ALL REAL AND PERSONAL PROPERTY THAT IS THE SUBJECT OF THE LEASE-PURCHASE AGREEMENT ON OR BEFORE THE EXPIRATION OF THE TERMS OF THE AGREEMENT.

(g) ANY LEASE-PURCHASE AGREEMENT EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION MAY PROVIDE FOR THE ISSUANCE, DISTRIBUTION, AND SALE OF INSTRUMENTS EVIDENCING RIGHTS TO RECEIVE RENTALS AND OTHER PAYMENTS MADE AND TO BE MADE UNDER THE LEASE-PURCHASE AGREEMENT. THE INSTRUMENTS MAY BE ISSUED, DISTRIBUTED, OR SOLD ONLY BY THE LESSOR OR ANY PERSON DESIGNATED BY THE LESSOR AND NOT BY THE STATE. THE INSTRUMENTS DO NOT CREATE A RELATIONSHIP BETWEEN THE PURCHASERS OF THE INSTRUMENTS AND THE STATE OR CREATE ANY OBLIGATION ON THE PART OF THE STATE TO THE PURCHASERS. THE INSTRUMENTS ARE NOT NOTES, BONDS, OR ANY OTHER EVIDENCE OF STATE DEBT WITHIN THE MEANING OF ANY PROVISION OF THE STATE CONSTITUTION OR STATE LAW CONCERNING OR LIMITING THE CREATION OF STATE DEBT AND ARE NOT A MULTIPLE FISCAL-YEAR DIRECT OR INDIRECT DEBT OR OTHER FINANCIAL OBLIGATION OF THE STATE WITHIN THE MEANING OF SECTION 20 (4) OF ARTICLE X OF THE STATE CONSTITUTION.

(h) INTEREST PAID UNDER A LEASE-PURCHASE AGREEMENT AUTHORIZED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION, INCLUDING INTEREST REPRESENTED BY THE INSTRUMENTS, IS EXEMPT FROM COLORADO INCOME TAX.

(i) THE STATE, ACTING BY AND THROUGH THE STATE TREASURER AND THE GOVERNING BOARDS OF THE INSTITUTIONS OF HIGHER EDUCATION, IS AUTHORIZED TO ENTER INTO ANCILLARY AGREEMENTS

AND INSTRUMENTS THAT ARE NECESSARY OR APPROPRIATE IN CONNECTION WITH A LEASE-PURCHASE AGREEMENT, INCLUDING BUT NOT LIMITED TO DEEDS, GROUND LEASES, SUB-LEASES, EASEMENTS, OR OTHER INSTRUMENTS RELATING TO THE REAL PROPERTY ON WHICH THE FACILITIES ARE LOCATED.

(j) THE PROVISIONS OF SECTION 24-30-202 (5)(b) DO NOT APPLY TO A LEASE-PURCHASE AGREEMENT EXECUTED AS REQUIRED BY OR TO ANY ANCILLARY AGREEMENT OR INSTRUMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (2). THE STATE CONTROLLER OR HIS OR HER DESIGNEE SHALL WAIVE ANY PROVISION OF THE FISCAL RULES PROMULGATED PURSUANT TO SECTION 24-30-202 (1) AND (13), THAT THE STATE CONTROLLER FINDS INCOMPATIBLE OR INAPPLICABLE WITH RESPECT TO A LEASE-PURCHASE AGREEMENT OR AN ANCILLARY AGREEMENT OR INSTRUMENT.

(3) A STATE INSTITUTION OF HIGHER EDUCATION, BUT NOT THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION, SHALL TRANSFER TO THE STATE TREASURER TWENTY PERCENT OF THE TOTAL PROJECT COST OF ANY NEW CAPITAL CONSTRUCTION PROJECT THAT RECEIVES FUNDING THROUGH THIS PART 13 WITHOUT AN APPROPRIATION FROM THE GENERAL ASSEMBLY. THE STATE TREASURER SHALL CREDIT ANY MONEY RECEIVED PURSUANT TO THIS SUBSECTION (3) TO THE CAPITAL CONSTRUCTION LEASE-PURCHASE AGREEMENT CASH FUND, REFERRED TO IN THIS SUBSECTION (3) AS THE "FUND", WHICH IS HEREBY CREATED IN THE STATE TREASURY. MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE STATE TREASURER TO MAKE PAYMENTS ON LEASE-PURCHASE AGREEMENTS EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEY IN THE FUND IS CREDITED TO THE FUND.

(4) (a) BEFORE EXECUTING A LEASE-PURCHASE AGREEMENT REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION, IN ORDER TO PROTECT AGAINST FUTURE INTEREST RATE INCREASES, THE STATE, ACTING BY AND THROUGH THE STATE TREASURER AND AT THE DISCRETION OF THE STATE TREASURER, MAY ENTER INTO AN INTEREST RATE EXCHANGE AGREEMENT PURSUANT TO ARTICLE 59.3 OF TITLE 11. A LEASE-PURCHASE AGREEMENT EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION IS A PROPOSED PUBLIC SECURITY FOR THE PURPOSES OF ARTICLE 59.3 OF TITLE 11. ANY PAYMENTS MADE BY THE STATE UNDER AN AGREEMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (4) MUST BE MADE SOLELY FROM MONEY MADE AVAILABLE TO THE STATE TREASURER FROM THE EXECUTION OF A LEASE-PURCHASE AGREEMENT, FROM MONEY DESCRIBED IN SUBSECTIONS (2)(d)(I), (2)(d)(II), AND (2)(d)(III) OF THIS SECTION, OR FROM MONEY IN THE CAPITAL CONSTRUCTION LEASE-PURCHASE AGREEMENT CASH FUND CREATED IN SUBSECTION (3) OF THIS SECTION.

(b) ANY AGREEMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (4) MUST ALSO PROVIDE THAT THE OBLIGATIONS OF THE STATE DO NOT CREATE STATE DEBT WITHIN THE MEANING OF ANY PROVISION OF THE STATE CONSTITUTION OR STATE LAW CONCERNING OR LIMITING THE CREATION OF STATE DEBT AND ARE NOT A MULTIPLE FISCAL-YEAR DIRECT OR INDIRECT DEBT OR OTHER FINANCIAL OBLIGATION OF THE STATE WITHIN THE MEANING OF SECTION 20 (4) OF ARTICLE X OF THE STATE CONSTITUTION.

(c) ANY MONEY RECEIVED BY THE STATE UNDER AN AGREEMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (4) SHALL BE USED TO MAKE PAYMENTS ON LEASE-PURCHASE AGREEMENTS ENTERED INTO PURSUANT TO SUBSECTION (2) OF THIS SECTION OR TO PAY THE COSTS OF THE PROJECT FOR WHICH A LEASE-PURCHASE AGREEMENT WAS EXECUTED.

(5) PROCEEDS OF LEASE-PURCHASE AGREEMENTS EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION SHALL BE USED AS FOLLOWS:

(a) SEVENTY-SIX AND FIVE-TENTHS PERCENT OF THE PROCEEDS SHALL BE CREDITED TO THE STATE HIGHWAY FUND CREATED IN SECTION 43-1-219 AND USED BY THE DEPARTMENT OF TRANSPORTATION IN ACCORDANCE WITH SECTION 43-4-206 (1)(b)(V); AND

(b) TWENTY-THREE AND FIVE-TENTHS PERCENT OF THE PROCEEDS SHALL BE USED FOR CONTROLLED MAINTENANCE AND CAPITAL CONSTRUCTION PROJECTS IN THE STATE AS FOLLOWS:

(I) THIRTEEN MILLION SIX THOUSAND EIGHTY-ONE DOLLARS FOR LEVEL I CONTROLLED MAINTENANCE;

(II) SIXTY MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND THREE HUNDRED FIVE DOLLARS FOR LEVEL II CONTROLLED MAINTENANCE;

(III) FORTY MILLION TWO HUNDRED NINE THOUSAND FIVE HUNDRED THIRTY-FIVE DOLLARS FOR LEVEL III CONTROLLED MAINTENANCE; AND

(IV) THE REMAINDER FOR CAPITAL CONSTRUCTION PROJECTS AS PRIORITIZED BY THE CAPITAL DEVELOPMENT COMMITTEE. THE CAPITAL DEVELOPMENT COMMITTEE SHALL POST THE FINAL PRIORITIZED LIST ON THE COMMITTEE'S WEBSITE AND FORWARD THE LIST TO THE OFFICE OF STATE PLANNING AND BUDGETING, THE STATE INSTITUTIONS OF HIGHER EDUCATION, AND THE STATE TREASURER NO LATER THAN NOVEMBER 1, 2017.

SECTION 6. In Colorado Revised Statutes, 23-1-106, **amend** (10.2)(a)(I) and (10.2)(a)(II); and **add** (10.2)(a)(III) as follows:

23-1-106. Duties and powers of the commission with respect to capital construction and long-range planning - legislative declaration - definitions. (10.2) (a) (I) Notwithstanding any law to the contrary AND EXCEPT AS PROVIDED IN SUBSECTION (10.2)(a)(III) OF THIS SECTION, all academic facilities acquired or constructed, or an auxiliary facility repurposed for use as an academic facility, solely from cash funds held by the state institution of higher education and operated and maintained from such cash funds or from state moneys appropriated for such purpose, or both, including, but not limited to, those facilities described in ~~paragraph (b) of subsection (9)~~ SUBSECTION (9)(b) of this section, that did not previously qualify for state controlled maintenance funding will qualify for state controlled maintenance funding, subject to funding approval by the capital development committee and the eligibility guidelines described in section 24-30-1303.9. ~~C.R.S.~~

(II) For purposes of this ~~paragraph (a)~~ SUBSECTION (10.2)(a), the eligibility for state controlled maintenance funding commences on the date of the acceptance of the construction or repurposing of the facility or the closing date of any acquisition. The date of the acceptance of construction or repurposing shall be determined by the office of the state architect.

(III) IF AN ACADEMIC FACILITY IS ACQUIRED OR CONSTRUCTED, OR IF AN AUXILIARY FACILITY IS REPURPOSED FOR USE AS AN ACADEMIC FACILITY, SOLELY FROM CASH FUNDS HELD BY THE STATE INSTITUTION OF HIGHER EDUCATION AND OPERATED AND MAINTAINED FROM SUCH CASH FUNDS, THEN AS OF THE DATE OF THE ACCEPTANCE OF CONSTRUCTION OR REPURPOSING THAT OCCURS ON OR AFTER JULY 1, 2018, SUCH FACILITY IS NOT ELIGIBLE FOR CONTROLLED MAINTENANCE FUNDING.

SECTION 7. In Colorado Revised Statutes, 24-30-1303.9, **amend** (7)(a)(II), (7)(a)(III), and (7)(a)(IV); and **add** (7)(a)(V) as follows:

24-30-1303.9. Eligibility for state controlled maintenance funding - legislative declaration. (7) (a) Controlled maintenance funds may not be used for:

(II) Auxiliary facilities as defined in section 23-1-106 (10.3); ~~C.R.S.;~~

(III) Leasehold interests in real property; ~~or~~

(IV) Any work properly categorized as capital construction; OR

(V) FACILITIES DESCRIBED IN SECTION 23-1-106 (10.2)(a)(III).

SECTION 8. In Colorado Revised Statutes, 25.5-4-301, **amend** (1)(a)(I) and (1)(a)(II); and **add** (1)(a)(II.3) as follows:

25.5-4-301. Recoveries - overpayments - penalties - interest - adjustments - liens - review or audit procedures. (1) (a) (I) Except as provided in section 25.5-4-302 and ~~subparagraph (III) of this paragraph (a), no~~ SUBSECTION (1)(a)(III) OF THIS SECTION, A recipient or estate of the recipient ~~shall be~~ IS NOT liable for the cost or the cost remaining after payment by medicaid, medicare, or a private insurer of medical benefits authorized by Title XIX of the social security act, by this ~~title~~ TITLE 25.5, or by rules promulgated by the state board, ~~which~~ FOR benefits ~~are~~ rendered to the recipient by a provider of medical services WHO IS ENROLLED IN THE MEDICAL ASSISTANCE PROGRAM AND authorized to

render ~~such~~ THE service in the state of Colorado, except FOR those contributions required pursuant to section 25.5-4-209 (1). However, a recipient may enter into a documented agreement with a provider WHO IS ENROLLED IN THE MEDICAL ASSISTANCE PROGRAM under which the recipient agrees to pay for items or services that are nonreimbursable under the medical assistance program. Under these circumstances, a recipient is liable for the cost of ~~such~~ THOSE services and items.

(II) The provisions of ~~subparagraph (I) of this paragraph (a) shall~~ SUBSECTION (1)(a)(I) OF THIS SECTION apply regardless of whether medicaid has actually reimbursed the provider. ~~and regardless of whether the provider is enrolled in the Colorado medical assistance program.~~

(II.3) IF A PROVIDER WHO IS NOT ENROLLED IN THE MEDICAL ASSISTANCE PROGRAM PROVIDES MEDICAL SERVICES TO A RECIPIENT THAT WOULD BE REIMBURSABLE UNDER THE MEDICAL ASSISTANCE PROGRAM IF THE PROVIDER WERE AN ENROLLED PROVIDER, PRIOR TO PROVIDING MEDICAL SERVICES, THE NONENROLLED PROVIDER SHALL ENTER INTO A WRITTEN AGREEMENT WITH THE RECIPIENT. THE AGREEMENT MUST SET FORTH THE SPECIFIC MEDICAL SERVICES PROVIDED, THE USUAL AND CUSTOMARY COST FOR THE SERVICES, THE COST TO THE RECIPIENT FOR THE SERVICES PROVIDED, AND THE TERMS OF PAYMENT BY THE CLIENT. THE AGREEMENT MUST ALSO INCLUDE THE STATEMENT THAT THE RECIPIENT UNDERSTANDS THAT HE OR SHE WOULD NOT BE LIABLE FOR THE COST OF REIMBURSABLE MEDICAL SERVICES IF THE RECIPIENT OBTAINED THE SERVICES FROM AN ENROLLED PROVIDER. THE AGREEMENT MUST BE SIGNED AND DATED BY BOTH THE RECIPIENT AND THE NONENROLLED PROVIDER. UNDER THESE CIRCUMSTANCES, THE RECIPIENT IS LIABLE FOR THE COST OF THE MEDICAL SERVICES.".

Renumber succeeding sections accordingly.

Page 21, line 15, strike "17-_____," and substitute "17-267,".

Page 22, line 9, strike "17-_____," and substitute "17-267,".

Page 26, line 16, strike "17-_____," and substitute "17-267,".

Page 45, line 24, strike "17-_____," and substitute "17-267,".

Page 46, line 4, strike "17-_____," and substitute "17-267,".

Page 51, line 18, strike "**of**" and substitute "**for**".

Page 51, line 20, strike "OF" and substitute "FOR".

Page 51, line 27, strike "OF" and substitute "FOR".

Page 54, strike lines 6 through 8 and substitute "for the same. ANY PROCEEDS OF LEASE-PURCHASE AGREEMENTS EXECUTED AS REQUIRED BY SECTION 24-82-1303 (2)(a) THAT ARE CREDITED TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-82-1303 (5)(a) SHALL BE USED".

Page 55, strike lines 3 through 5 and substitute: "AND, BEGINNING IN 2018, ANY PROCEEDS OF LEASE-PURCHASE AGREEMENTS EXECUTED AS REQUIRED BY SECTION 24-82-1303 (2)(a) THAT ARE CREDITED TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-82-1303 (5)(a) AND".

Page 56, line 18, strike "6 through 15, 17, and 18" and substitute "9 through 18, 20, and 21".

Page 56, line 20, strike "6 through 15, 17, and 18" and substitute "9 through 18, 20, and 21".

Finance After consideration on the merits, the Committee recommends that **HB17-1222** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB17-002, 075, 121, 186, 192, 198, 202, 243, 268, 272, and 279; SJR17-031.
Correctly Reengrossed: SB17-039, 180, and 201.
Correctly Revised: HB17-1008, 1160, 1185, 1186, 1219, and 1233; HJR17-1022.
Correctly Rerevised: HB17-1012, 1188, and 1203.

MESSAGE FROM THE HOUSE

April 11, 2017

Mr. President:

The House has postponed indefinitely SB17-078. The bill is returned herewith.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Memorials and Consideration of Resolutions.

CONSIDERATION OF MEMORIALS

SJM17-004 by Senator(s) Lundberg; also Representative(s) Sias--Memorializing former Senator Joseph Schieffelin.

On request of Senator Lundberg, the memorial was read at length.

On motion of Senator Lundberg, and with a majority of those elected to the Senate having voted in the affirmative, the Senate stood in Recess pursuant to Senate Rule 31 (g) to allow former Senators to address the members of the Senate regarding the memorial.

Senate in recess. Senate reconvened.

On motion of Senator Lundberg, the memorial was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Kagan, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

CONSIDERATION OF RESOLUTIONS

SJR17-012 by Senator(s) Holbert and Smallwood; also Representative(s) Ransom and Buckner--Concerning recognizing the achievements of Rocky Vista University.

On motion of Majority Leader Holbert, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Jahn, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1219 by Representative(s) Arndt and McLachlan; also Senator(s) Crowder and Donovan--Concerning an extension of the agricultural water leasing pilot program administered by the Colorado water conservation board.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Jones, Kefalas, Martinez Humenik, Merrifield, Scott, Sonnenberg, Tate, Todd, and Williams A.

HB17-1185 by Representative(s) Singer; also Senator(s) Smallwood--Concerning reports of suspected child abuse or neglect.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Court, Donovan, Fenberg, Fields, Grantham, Guzman, Jahn, Jones, Kagan, Kefalas, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Tate, Todd, and Williams A.

SB17-279 by Senator(s) Zenzinger and Martinez Humenik; also Representative(s) Beckman and Gray--Concerning clarification of the applicability provisions of recent legislation to promote an equitable financial contribution among affected public bodies in connection with urban redevelopment projects allocating tax revenues.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas, Merrifield, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB17-211 by Senator(s) Scott; --Concerning a requirement that a state agency accept the full amount of a bid security bond issued by a surety company to a prospective contractor for a public project.

Laid over until Thursday, April 13, retaining its place on the calendar.

HB17-1201 by Representative(s) Coleman, Lundeen; also Senator(s) Zenzinger and Priola, Todd--Concerning authorization for granting a high school diploma endorsement in the combined disciplines of science, technology, engineering, and mathematics.

Laid over until Monday, April 17, retaining its place on the calendar.

HB17-1186 by Representative(s) Pettersen and Landgraf; also Senator(s) Coram--Concerning a requirement that health benefit plans required to cover contraception reimburse dispensers for dispensing a multiple-months' supply of prescription contraceptives.

Laid over until Monday, April 17, retaining its place on the calendar.

SB17-198 by Senator(s) Priola; also Representative(s) Garnett--Concerning public participation in the review by the commissioner of insurance of the acquisition of control of an insurer that offers health plans, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB17-192 by Senator(s) Neville T., Jahn, Priola, Williams A.; also Representative(s) Melton and Singer--Concerning provisions to allow marijuana businesses to operate more efficiently, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	N
Court	N	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Hill, and Kerr.

SB17-202 by Senator(s) Coram; also Representative(s) Esgar--Concerning measures to conserve native species in Colorado, and, in connection therewith, making appropriations from the species conservation trust fund for purposes recommended by the department of natural resources.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Fenberg, Fields, Jones, Kefalas, Kerr, Merrifield, Moreno, and Todd.

SB17-243 by Senator(s) Baumgardner and Todd; also Representative(s) Jackson--Concerning the continuation under the sunset law of the motorcycle operator safety training program by the director of the office of transportation safety in the department of transportation, and, in connection therewith, transferring the operation of the program to the chief of the state patrol beginning in 2018.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB17-121 by Senator(s) Crowder and Lundberg; also Representative(s) Danielson and Landgraf--Concerning improving medicaid client correspondence, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Grantham, Hill, Kefalas, Kerr, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Smallwood, Tate, and Todd.

HB17-1008 by Representative(s) Arndt, Becker J.; also Senator(s) Sonnenberg--Concerning an exemption from the water quality control commission's graywater control regulations for graywater used for the purpose of scientific research involving human exposure.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Grantham, Kefalas, Marble, Martinez Humenik, Scott, and Tate.

HB17-1233 by Representative Arndt; also Senator Crowder--Concerning protection of the historical consumptive use analysis of a water right involved in a water conservation program.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	N	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Guzman, Jones, Kagan, Merrifield, Todd, and Williams A.

SB17-272 by Senator(s) Priola; also Representative(s) Pettersen and Lundeen--Concerning adding a measure relating to demonstration of college and career readiness for determining a local education provider's attainment of the postsecondary and workforce readiness performance indicator.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas, Kerr, Martinez Humenik, Moreno, Smallwood, and Tate.

HB17-1160 by Representative(s) Hamner and Wilson; also Senator(s) Priola and Fields--Concerning authorizing a local education provider to determine the language in which a student who is an English language learner takes reading assessments in kindergarten through third grade.

Laid over until Thursday, April 13, retaining its place on the calendar.

SB17-268 by Senator(s) Smallwood and Kerr, Jahn, Neville T., Priola, Williams A.; also Representative(s) Ransom and Ginal, Landgraf, Liston, McKean--Concerning an increase in the number of pharmacy technicians a pharmacist may supervise.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham and Moreno.

SB17-002 by Senator(s) Martinez Humenik, Grantham; also Representative(s) Lawrence--Concerning the compulsory review of rules by each principal department, and, in connection therewith, establishing a triennial basis for each review to be conducted.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Scott, Smallwood, Sonnenberg, and Tate.

SB17-075 by Senator(s) Crowder; also Representative(s) Landgraf and Danielson--Concerning a state income tax deduction for military retirement benefits.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	6	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	*	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	N	Holbert	N	Martinez Humenik	Y	Todd	*
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

* Abstaining from voting under Senate Rule 17(c) -- Senators Lambert and Todd.

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Fields, Garcia, Gardner, Grantham, Hill, Lambert, Lundberg, Martinez Humenik, Priola, Scott, Sonnenberg, and Tate.

SB17-186 by Senator(s) Tate, Jahn, Priola, Smallwood, Williams A.; also Representative(s) Carver and Lawrence--Concerning methods to reduce the regulatory burden on businesses from administrative rules adopted by state 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	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Scott, and Sonnenberg.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB17-103) of Wednesday, April 12, 2017, was laid over until Thursday, April 13, 2017, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, April 12, 2017, was laid over until Thursday, April 13, 2017, retaining its place on the calendar.

Consideration of House Amendments to Senate Bills: SB17-258, SB17-259, SB17-254.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Trans-portation After consideration on the merits, the Committee recommends that **SB17-286** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Trans-portation After consideration on the merits, the Committee recommends that **HB17-1213** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Trans-portation After consideration on the merits, the Committee recommends that **SB17-278** be referred to the Committee of the Whole with favorable recommendation.

Trans-portation After consideration on the merits, the Committee recommends that **HB17-1205** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Trans-portation

After consideration on the merits, the Committee recommends that **SB17-270** 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 3, strike lines 7 through 16 and substitute:

"**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

Trans-portation

The Committee on Transportation has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
TRANSPORTATION COMMISSION

for a term expiring July 1, 2019:

Robert Keith Scott of Colorado Springs, Colorado, to serve as a commissioner from the Ninth Transportation District, and occasioned by the resignation of Nolan E. Schriner of Colorado Springs, Colorado, appointed.

Trans-portation

After consideration on the merits, the Committee recommends that **HB17-1242** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend reengrossed bill, page 5, strike lines 17 through 27.

Strike page 6.

Page 7, strike lines 1 through 9 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, 24-75-219, **repeal as added by Senate Bill 17-262** (2)(c.3)(I) and (2)(c.7)(I); and **add** (2)(c.8) as follows:

24-75-219. Transfers - transportation - capital construction - definitions. (2) (c.3) On June 30, 2019, the state treasurer shall transfer:

(I) ~~One hundred sixty million dollars from the general fund to the highway users tax fund; and~~

(c.7) On June 30, 2020, the state treasurer shall transfer:

(I) ~~One hundred sixty million dollars from the general fund to the highway users tax fund; and~~

(c.8) ON JUNE 30 OF EACH STATE FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2018, BUT BEFORE JULY 1, 2038, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED MILLION DOLLARS FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND CREATED IN SECTION 43-1-219.

SECTION 3. In Colorado Revised Statutes, 24-92-103.5, **add** (3.5) as follows:

24-92-103.5. Construction of public projects - competitive sealed best value bidding. (3.5) NOTWITHSTANDING SUBSECTION (3)(c) OF THIS SECTION OR ANY OTHER PROVISION OF THIS ARTICLE 92, IF A CONTRACT FOR A TRANSPORTATION PROJECT HAS A TOTAL ESTIMATED COMPLETION COST OF FIFTY MILLION DOLLARS OR LESS AND THE DEPARTMENT OF TRANSPORTATION USES A COMPETITIVE SEALED BEST VALUE BIDDING CONTRACT AWARD PROCESS FOR THE PROJECT, THE DEPARTMENT, WHEN DETERMINING WHICH OF THE BIDDERS IS PROVIDING THE BEST VALUE, SHALL NOT PENALIZE ANY DESIGN-BUILD FIRM THAT SATISFIES THE LEVEL OF PREQUALIFICATION REQUIRED FOR THE PROJECT FOR A LACK OF EXPERIENCE IN COMPLETING PROJECTS AWARDED ON A BEST VALUE BASIS.

SECTION 4. In Colorado Revised Statutes, **amend** 24-92-107

as follows:

24-92-107. Prequalification of contractors - limitation on shortlisting. Prospective contractors may be prequalified for particular types of construction, and the method of compiling a list of and soliciting from such potential contractors shall be pursuant to rules. IN ORDER TO LOWER CONTRACTING COSTS AND ENSURE FAIR ACCESS TO CONTRACTING OPPORTUNITIES FOR LOCAL CONTRACTORS AND WORKERS AND DISADVANTAGED AND WOMEN-OWNED BUSINESS ENTERPRISES, RULES OF THE DEPARTMENT OF TRANSPORTATION THAT GOVERN THE CONSIDERATION OF SUBMITTALS FOR ANY LEGALLY AUTHORIZED MEANS OF CONTRACT PROCUREMENT FOR A PROJECT MUST LIMIT THE USE OF SHORTLISTING BY REQUIRING THE DEPARTMENT TO CONSIDER, AT A MINIMUM, THE LESSER OF ALL BIDS OR PROPOSALS SUBMITTED BY PREQUALIFIED CONTRACTORS OR FIVE BIDS OR PROPOSALS SUBMITTED BY PREQUALIFIED CONTRACTORS.".

Renumber succeeding sections accordingly.

Page 7, line 21, strike "FIFTY-TWO ONE-HUNDREDTHS" and substitute "FOUR-TENTHS".

Page 8, line 13, strike "SIXTY-TWO one-hundredths" and substitute "~~one-hundredths~~ ONE-HALF OF ONE".

Page 9, line 5, strike "FIFTY-TWO ONE-HUNDREDTHS" and substitute "FOUR-TENTHS".

Page 10, line 5, strike "THE FIRST THREE".

Page 10, strike lines 6 and 7 and substitute "EIGHTY-FIVE PERCENT OF THE NET REVENUE COLLECTED".

Page 10, lines 12 and 13, strike "THE REMAINING THIRTY PERCENT OF THE REMAINDER" and substitute "FIFTEEN PERCENT".

Page 11, lines 15 and 16, strike "SIXTY-TWO one-hundredths" and substitute "~~one-hundredths~~ ONE-HALF OF ONE".

Page 12, line 10, after "**repeal**" insert "**as amended by House Bill 17-1107**".

Page 12, after line 10 insert:

"**SECTION 12.** In Colorado Revised Statutes, 43-1-1104, **amend** (1)(b) and (2) as follows:

43-1-1104. Transportation advisory committee. (1) (b) No later than three months after May 20, 2009, the executive director, in consultation with the commission, shall appoint a ~~special interim~~ transit and rail advisory committee to specifically advise the commission and the executive director regarding the initial focus of the transit and rail division created in section 43-1-117.5 and to recommend a long-term advisory structure, including the advisory structure's purpose and role, in support of the transit and rail-related functions of the department. The ~~special interim~~ transit and rail advisory committee ~~shall~~ MUST include such representatives of industries and other groups interested in transit and rail issues and such other individuals as the executive director, in consultation with the commission, deems appropriate; except that the committee shall include, at a minimum, one or more:

(I) Representatives of transit operators;

(II) Representatives of class I railroads;

(III) Representatives of short line railroads; ~~and~~

(IV) Representatives of entities or interest groups involved in the promotion, planning, or development of passenger rail systems;

(V) REPRESENTATIVES OF METROPOLITAN PLANNING ORGANIZATIONS;

(VI) REPRESENTATIVES OF LOCAL GOVERNMENTS;

(VII) ADVOCATES FOR AFFORDABLE TRANSPORTATION OPTIONS;

(VIII) PERSONS WITH DISABILITIES WHO ADVOCATE FOR PERSONS WITH ALL TYPES OF DISABILITIES; AND

(IX) ADVOCATES FOR BICYCLISTS AND PEDESTRIANS.

(2) The committee shall provide advice to both the department and the commission on the needs of the transportation systems in Colorado, including but not limited to budgets, transportation improvement programs, the statewide transportation improvement program, transportation plans, and state transportation policies, ~~and~~ shall review and provide comment to both the department and the commission on all regional transportation plans submitted for the transportation planning regions, AND SHALL OVERSEE THE ALLOCATION OF MONEY IN THE TRANSPORTATION OPTIONS ACCOUNT OF THE MULTIMODAL TRANSPORTATION OPTIONS FUND CREATED IN SECTION 43-4-1103 (1) AS SPECIFIED IN PART 11 OF ARTICLE 4 OF THIS TITLE 43. The activities of the committee ~~shall not be construed to~~ DO NOT constrain or replace the county hearing process.".

Renumber succeeding sections accordingly.

Page 13, strike line 7.

Page 13, line 8, strike "43-4-1104 (1)," and substitute "TRANSIT AND RAIL ADVISORY COMMITTEE CREATED IN SECTION 43-1-1104 (1),".

Page 13, after line 15 insert:

"**SECTION 14.** In Colorado Revised Statutes, 43-1-123, **add** (2.5) as follows:

43-1-123. Project closure and project reporting requirements. (2.5) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW AND IN ADDITION TO THE INFORMATION REQUIRED TO BE REPORTED PURSUANT TO SUBSECTION (2) OF THIS SECTION, FOR ANY TRANSPORTATION PROJECT FOR WHICH THE DEPARTMENT AWARDS A CONTRACT BASED ON BEST VALUE SELECTION ON OR AFTER JULY 1, 2018, THE DEPARTMENT, IN ORDER TO PROVIDE INFORMATION TO THE PUBLIC AND IMPROVE THE TRANSPARENCY OF ITS PROPOSAL SOLICITATION AND CONTRACT AWARD PROCESS FOR TRANSPORTATION PROJECTS, SHALL:

(a) REPORT ON ITS PUBLIC WEBSITE WITHIN THIRTY DAYS OF THE CONTRACT AWARD AND MAINTAIN ON ITS WEBSITE FOR AT LEAST ONE YEAR THEREAFTER AN EXECUTIVE SUMMARY OF ALL PROPOSALS SUBMITTED IN RESPONSE TO ITS SOLICITATION OF PROPOSALS FOR THE PROJECT;

(b) MAKE AVAILABLE FOR REVIEW AND REPRODUCTION AT THE DEPARTMENT'S HEADQUARTERS FOR A PERIOD OF AT LEAST ONE YEAR FOLLOWING THE DATE OF THE CONTRACT AWARD THE DEPARTMENT'S SCORING OF ALL PROPOSALS SUBMITTED IN RESPONSE TO ITS SOLICITATION OF PROPOSALS FOR THE PROJECT; AND

(c) MAKE AVAILABLE FOR REVIEW ONLY AT THE DEPARTMENT'S HEADQUARTERS FOR A PERIOD OF AT LEAST ONE YEAR FOLLOWING THE DATE OF THE CONTRACT AWARD THE STATEMENT OF QUALIFICATIONS AND PROPOSALS FOR EACH PERSON THAT SUBMITTED A PROPOSAL IN RESPONSE TO THE DEPARTMENT'S SOLICITATION OF PROPOSALS FOR THE PROJECT; EXCEPT THAT THE DEPARTMENT SHALL NOT MAKE ANY SPECIFIC CORPORATE FINANCIAL INFORMATION SUBMITTED AVAILABLE FOR REVIEW.".

Renumber succeeding sections accordingly.

Page 14, after line 11 insert:

"**SECTION 16.** In Colorado Revised Statutes, 43-1-1406, **add** (6) as follows:

43-1-1406. General procedures. (6) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART 14, IF A DESIGN-BUILD CONTRACT FOR A TRANSPORTATION PROJECT HAS A TOTAL ESTIMATED COMPLETION COST OF FIFTY MILLION DOLLARS OR LESS AND THE DEPARTMENT USES EITHER A BEST VALUE OR ADJUSTED SCORE DESIGN-BUILD CONTRACT PROCESS,

THE DEPARTMENT, WHEN DETERMINING WHICH OF THE DESIGN-BUILD FIRMS THAT HAVE SUBMITTED STATEMENTS OF QUALIFICATIONS ARE THE MOST HIGHLY QUALIFIED AND MAY RESPOND TO A REQUEST FOR PROPOSALS FOR THE TRANSPORTATION PROJECT OR WHEN DETERMINING WHICH DESIGN-BUILD FIRM THAT HAS MADE A RESPONSIVE PROPOSAL IS PROVIDING THE BEST VALUE, SHALL NOT PENALIZE ANY DESIGN-BUILD FIRM THAT SATISFIES THE LEVEL OF PREQUALIFICATION REQUIRED FOR THE PROJECT FOR A LACK OF EXPERIENCE IN COMPLETING PROJECTS AWARDED ON A DESIGN-BUILD BASIS.".

Renumber succeeding sections accordingly.

Page 18, lines 2 and 3, strike "THREE HUNDRED SEVENTY-FIVE MILLION DOLLARS PER YEAR" and substitute "FORTY-ONE AND TWO-TENTHS PERCENT".

Page 20, line 25, strike "43-4-1104 (3)(c)" and substitute "43-4-1104 (1)(c)".

Page 22, line 23, strike "43-4-1104 (3)(c)" and substitute "43-4-1104 (1)(c)".

Page 26, line 14, after "BILLION" insert "FIVE HUNDRED MILLION".

Page 26, line 27, strike "FIFTY MILLION DOLLARS" and substitute "FROM THE MONEY TRANSFERRED FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND ON JUNE 30 OF THE PRIOR FISCAL YEAR PURSUANT TO SECTION 24-75-219 (2)(c.8) UNTIL ALL OF THE MONEY TRANSFERRED IS PAID; NEXT,".

Page 27, line 3, strike "43-4-206 (4);" and substitute "43-4-206 (4) UNTIL FIFTY MILLION DOLLARS IS PAID;".

Page 27, lines 11 and 12, strike "SEVEN HUNDRED FIFTEEN MILLION ONE" and substitute "FIVE HUNDRED SEVENTY-SIX MILLION SEVEN".

Page 27, strike line 14 and substitute "INCLUDING FUNDING LOCAL CITY AND COUNTY PRIORITIES, MUNICIPAL AND COUNTY ROADS, STATE HIGHWAYS, INTERSTATE HIGHWAYS, INCLUDING BUT NOT LIMITED TO I-25 AND I-70,".

Page 27, line 19, strike "0.62%" and substitute "0.50% WITH THE EXCEPTION OF FOOD, MEDICINE, UTILITIES, AND GAS, WHICH WILL BE EXEMPT,".

Page 27, line 21, strike "$5,000,000,000" and substitute "$5,500,000,000".

Page 27, line 27, strike "0.62%" and substitute "0.50%".

Page 28, line 4, strike "THIRTY" and substitute "FORTY-FIVE".

Page 32, line 7, after "OPTIONS," insert "AT LEAST ONE OF WHOM IS A REPRESENTATIVE OF THE TRUCKING INDUSTRY,".

Page 32, strike lines 24 and 25.

Page 36, strike lines 18 and 19 and substitute:

"(3) "COMMITTEE" MEANS THE TRANSIT AND RAIL ADVISORY COMMITTEE APPOINTED PURSUANT TO SECTION 43-1-1104 (1)(b).".

Page 39, line 4, strike "43-4-1104 (3)(c)" and substitute "43-4-1104 (1)(c)".

Page 41, strike lines 3 through 27.

Strike page 42.

Page 43, strike lines 1 through 5 and substitute:

"**43-4-1104. Allocation of fund by transit and rail advisory committee - annual reporting requirement.** (1) THE COMMITTEE SHALL EQUITABLY,".

Renumber succeeding subsections accordingly.

Page 43, line 9, strike "THE PERFORMANCE OF ITS FUNCTION," and substitute "THAT PURPOSE,".

Page 44, line 11, strike "AND FUND".

Page 44, line 14, strike "WHEN".

Page 44, strike lines 15 through 27.

Renumber succeeding subsection accordingly.

Page 45, line 19, strike "(4)(a)" and substitute "(2)(a)".

Page 46, line 24, strike "16" and substitute "21".

Page 46, line 27, strike "Section 16" and substitute "Sections 21, 28, and 29".

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy 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
WATER QUALITY CONTROL COMMISSION

for a term expiring February 15, 2020:

Michael Gooseff of Fort Collins, Colorado, appointed;

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy 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
STATE BOARD OF THE
GREAT OUTDOORS COLORADO TRUST FUND

for a term expiring April 15, 2017:

Karma Giulianelli of Golden, Colorado, a resident of the 7th Congressional District, and a Democrat, and occasioned by the resignation of James R. Spaanstra of Lakewood, Colorado, appointed.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB17-1256** be postponed indefinitely.

MESSAGE FROM THE HOUSE

April 12, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1255.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1271, amended as printed in House Journal, April 11, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-231, amended as printed in House Journal, April 11, 2017.

The House has adopted and returns herewith SJR17-012.

The House has adopted and returns herewith SJM17-004.

MESSAGE FROM THE REVISOR OF STATUTES

April 12, 2017

We herewith transmit:

Without comment, HB17-1255.
Without comment, as amended, HB17-1271.
Without comment, as amended, SB17-231.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR17-032 by Senator(s) Kerr, Court, Guzman, Jahn, Merrifield, Williams A.; also Representative(s) Danielson--Concerning the recognition of Colorado workers who died on the job, and, in connection therewith, commemorating the twenty-eighth anniversary of workers' memorial day on April 28, 2017.

Laid over one day under Senate Rule 30(b).

SJR17-035 by Senator(s) Donovan, Garcia, Hill, Kerr, Zenzinger; also Representative(s) Weissman--Concerning recognizing the importance of conquering scientific challenges from medicine to space and beyond.

Laid over one day under Senate Rule 30(b).

SJR17-036 by Senator(s) Zenzinger; also Representative(s) Buckner--Concerning designating April 2017 as "Autism Awareness Month".

Laid over one day under Senate Rule 30(b).

SJR17-037 by Senator(s) Moreno; also Representative(s) Michaelson Jenet--Concerning the designation of May 1 through May 7, 2017, as "National Maternal Health Awareness Week".

Laid over one day under Senate Rule 30(b).

HJR17-1018 by Representative(s) Willett; also Senator(s) Scott--Concerning the designation of a portion of state highway 340 as the "Tour of the Moon Byway".

Laid over one day under Senate Rule 30(e).

The following resolutions were read by title and referred to the committees indicated:

SJR17-033 by Senator(s) Kerr; also Representative(s) Benavidez--Concerning the recognition of Earth Day on April 22, 2017.
Agriculture, Natural Resources, & Energy
State, Veterans, & Military Affairs

SJR17-034 by Senator(s) Aguilar, Court, Donovan, Fenberg, Fields, Garcia, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Todd, Williams A., Zenzinger; also Representative(s) Lontine--Concerning support for the federal "Patient Protection and Affordable Care Act", and, in connection therewith, expressing opposition to efforts to repeal or weaken, and support for improving, the "Patient Protection and Affordable Care Act" and supporting additional efforts to strengthen access to health care.
Agriculture, Natural Resources, & Energy

INTRODUCTION OF MEMORIALS

The following memorials were read by title:

SM17-002 by Senator(s) Hill and Garcia; --Concerning memorializing Congress to hold the United States Department of Veterans Affairs accountable.

Laid over one day under Senate Rule 30(d).

SJM17-006 by Senator(s) Neville T.; also Representative(s) Leonard--Concerning the transfer of federal transportation funding to the state.

Laid over one day under Senate Rule 30(d).

The following memorial was read by title and referred to the committee indicated:

SJM17-007 by Senator(s) Merrifield, Todd, Fenberg, Zenzinger, Jones, Aguilar, Kerr, Donovan, Kagan; --Memorializing congress to support federal arts, humanities, and museum agencies with fiscal year 2018 federal funding.
State, Veterans, & Military Affairs

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB17-289 by Senator(s) Gardner; also Representative(s) Lawrence--Concerning allowing the department of human services to transfer custody of certain adult offenders from the division of youth corrections upon a court order.
Judiciary

SCR17-001 by Senator(s) Merrifield and Marble, Donovan, Fenberg, Kagan, Kerr, Moreno, Tate; also Representative(s) Melton, Coleman, Lebsock, Salazar, Singer--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning a reduction in the age qualification for a member of the general assembly from twenty-five years to twenty-one years.
State, Veterans, & Military Affairs

SCR17-002 by Senator(s) Kefalas; --Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning the imposition of a real estate transfer tax of one-tenth of one percent of the value of real property transferred in the state that will be used to finance the provision of affordable housing, and, in connection therewith, allowing the revenues from the tax to be collected and spent notwithstanding any limitation provided by law.
Agriculture, Natural Resources, & Energy

HB17-1082 by Representative(s) Pabon; also Senator(s) Tate--Concerning clarification that financial assistance under the "Building Excellent Schools Today Act" includes technology grants.
Education

HB17-1212 by Representative(s) Rosenthal and Sias; also Senator(s) Gardner and Kagan--Concerning the creation of an aviation special license plate.
Transportation

HB17-1257 by Representative(s) Arndt, Hooton, Nordberg, Thurlow; also Senator(s) Tate, Kerr, Martinez Humenik, Moreno--Concerning the scheduled repeal of reports by the department of natural resources to the general assembly.
Agriculture, Natural Resources, & Energy

HB17-1294 by Representative(s) Weissman; also Senator(s) Todd--Concerning counting a high school student who participates in the accelerating students through concurrent enrollment program in the enrolling education entity's high school graduation rate in the school year in which the student completes the high school graduation requirements.
Education

HB17-1304 by Representative(s) Singer and Ransom; also Senator(s) Smallwood and Kefalas--Concerning allowing the adoption of a child under the jurisdiction of a court in Colorado who is not present in Colorado.
Health & Human Services

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

February 9, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit for your consideration, the following:

MEMBERS OF THE
STATE BOARD OF HEALTH

for a term expiring March 1, 2019:

Raymond O. Estacio, MD of Denver, Colorado, a resident of the First Congressional District, a Democrat, and changing his designation from an at-large member, appointed;

for terms expiring March 1, 2021:

Matthew VanAuken of Colorado Springs, Colorado, a resident of the Fifth Congressional District and as an Unaffiliated, reappointed;

Michael Anthony Cappello of Brush, Colorado, a resident of the Fourth Congressional District and as a Republican, reappointed;

Shawn M. Turk of Centennial, Colorado, a resident of the Sixth Congressional District and as a Democrat, appointed;

Patricia Jane Hammon, RN of Eagle, Colorado, a resident of the Third Congressional District and as a Democrat, appointed;

Lew Gaiter, III of Livermore, Colorado, a resident of the Second Congressional District and a Republican, to serve an an at-large member and county commissioner, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/15/2017
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

March 27, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint, and submit to your consideration, the following:

MEMBER OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2021:

Heidi Jeanne Hess of Clifton, Colorado, a Democrat and member of the community at large, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/30/2017
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

September 12, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBERS OF THE
SOLID AND HAZARDOUS WASTE COMMISSION

for terms expiring August 1, 2019:

Teresa Ann Coons, PhD of Denver, Colorado, to serve as a member of the public and as a Democrat, appointed;

Elizabeth J. O'Connell, PhD of Aspen, to serve as a representative of the academic community and as a Democrat, appointed;

Stephen Wendell Gillette of Berthoud, Colorado, to serve as a representative of local government, and as a Republican, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

February 9, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBER OF THE
ADVISORY COMMITTEE TO THE PROPERTY
TAX ADMINISTRATOR

for a term expiring September 1, 2018:

Keith Alan Erffmeyer of Aurora, Colorado, to serve as an assessor from a county with a population over 75,000 and as a Republican, and occasioned by the resignation of Corbin Sakdol of Littleton, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/15/2017
Effie Ameen, Secretary of the Senate

Committee on Finance

July 21, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint, and submit to your consideration, the following:

MEMBERS OF THE
PINNACOL ASSURANCE BOARD OF DIRECTORS

effective August 31, 2016 for terms expiring January 1, 2021:

Barbara Mellman Davis of Denver, Colorado, due to the resignation of Harold R. Logan, Jr. of Denver, Colorado, and who previously served as the representative of an employee of an employer whose liability is insured by Pinnacol, will now serve as the representative with experience in finance or investments, but not an employer whose liability insurance is insured by Pinnacol, reappointed;

Geraldine Ann Lewis-Jenkins of Denver, Colorado, to serve as an employee of an employer whose liability is insured by Pinnacol, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

March 27, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for a term expiring September 1, 2019:

Tammy Ann Hitchens of Westminster, Colorado, to serve as a representative of Colorado municipal employers, and occasioned by the resignation of Manuel Albert Esquibel of Brighton, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/30/2017
Effie Ameen, Secretary of the Senate

Committee on Finance

March 10, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint, and submit to your consideration, the following:

MEMBERS OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

effective July 1, 2017 for terms expiring July 1, 2021:

Luis Alberto Colon of Lone Tree, Colorado, to serve as a resident of the Fourth Congressional District and as a Republican, reappointed;

Thomas Oliver McGimpsey of Louisville, Colorado, to serve as a resident of the Second Congressional District and as a Republican, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/16/2017
Effie Ameen, Secretary of the Senate

Committee on Education

April 4, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2019:

Kevin Scott Knierim of Englewood, Colorado, to serve as a representative of law enforcement and as a Republican, and occasioned by the resignation of James Howard Davis of Westminster, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/4/2017
Effie Ameen, Secretary of the Senate

Committee on Finance

TRIBUTES

Honoring:

Kimbal Musk, Co-founder of "The Kitchen" Restaurant Group -- By Senator Steve Fenberg.
Kara Goucher, Olympic Runner -- By Senator Steve Fenberg.
Eric Rauschkolb, Niwot High School Principal -- By Senator Steve Fenberg.
Colorado State University State Classified Personnel Council and State Classified Employees -- By Senator John Kefalas, Representative Jeni James Arndt, and Representative Joann Ginal.
American Medical Response Safety Jam -- By Senator Leroy Garcia and Representative Daneya Esgar.
Becca Droz and Floyd Pierce -- By Senator Steve Fenberg.
The Lafayette Youth Advisory Committee -- By Senator Steve Fenberg.
CU Boulder Brain Behavior Clinic -- By Senator Steve Fenberg.
Thomas Jefferson Robotics Program -- By Minority Leader Lucia Guzman.
Colorado State University EcoCAR 3 Team -- By Senator John Kefalas.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, April 13, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

93rd Legislative Day Thursday, April 13, 2017

Prayer — By Senator Lundberg.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 1 (b) was suspended to allow a person other than a Senator to lead the Pledge of Allegiance.

Pledge — By Jack Van Ens, portraying President Thomas Jefferson.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Wednesday, April 12, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

REPORTS OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON SB17-106

****
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 SB17-106, concerning the continuation of the regulation of naturopathic doctors by the director of the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the department's sunset review recommendations, 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 4, line 4, strike "ACIDS;" and substitute "ACIDS, SUBJECT TO COMPLIANCE WITH THE INTRAVENOUS NUTRITION THERAPIES EDUCATION REQUIREMENTS SPECIFIED IN SECTION 12-37.3-106 (2.5);".

Page 5, after line 13 insert:

"**SECTION 5.** In Colorado Revised Statutes, 12-37.3-106, **amend** (4) introductory portion; and **add** (2.5) as follows:

12-37.3-106. Registration required - qualifications - examination - registration by endorsement - rules. (2.5) ON OR AFTER JANUARY 1, 2018, IN ADDITION TO SATISFYING THE REQUIREMENTS OF SUBSECTION (2) OF THIS SECTION, AN APPLICANT FOR A NEW REGISTRATION UNDER THIS SECTION OR TO RENEW A REGISTRATION ISSUED UNDER THIS SECTION SHALL PROVIDE SATISFACTORY PROOF TO THE DIRECTOR THAT, IN CONNECTION WITH THE AUTHORITY TO ADMINISTER VITAMINS, MINERALS, OR AMINO ACIDS PURSUANT TO SECTION 12-37.3-105 (1)(c)(I)(D), THE APPLICANT HAS COMPLETED AT LEAST SEVEN HOURS OF EDUCATION IN INTRAVENOUS NUTRITION THERAPIES APPROVED BY THE DIRECTOR.

(4) The director may determine, by rule, the qualifications for registration under this ~~article~~ ARTICLE 37.3 for a person who satisfies the requirements of ~~paragraphs (a), (b), and (c) of subsection (2)~~ SUBSECTIONS (2)(a), (2)(b), AND (2)(e) of this section, AND, ON OR AFTER JANUARY 1, 2018, THE REQUIREMENTS OF SUBSECTION (2.5) OF THIS SECTION, but does not satisfy the requirements for registration under ~~paragraph (c) or (d) of subsection (2)~~ SUBSECTIONS (2)(c) OR (2)(d) of this section and who is not licensed, certified, or registered to practice a profession or occupation under this ~~title~~ TITLE 12 or the laws of any other jurisdiction in the United States. The director's rules may require qualifications the director deems appropriate and may include documented evidence that the person:".

Renumber succeeding sections accordingly.

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(singed)
Don Coram, Chairman	Jonathan Singer, Chairman
Ray Scott	Joann Ginal

FIRST MINORITY REPORT OF FIRST CONFERENCE COMMITTEE ON SB17-106

****
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 SB17-106, concerning the continuation of the regulation of naturopathic doctors by the director of the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the department's sunset review recommendations , has met, and a minority thereof 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 3, strike lines 20 through 27.

Strike page 4.

Page 5, strike lines 1 through 13.

Renumber succeeding sections accordingly.

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(singed)
Irene Aguiler	Jim Wilson

MEMORANDUM
REPORT FROM THE SENATE AND HOUSE COMMITTEES ON DELAYED BILLS

Pursuant to Joint Rule 23 (c), the Senate and House Committees on Delayed Bills, acting jointly, extend the following deadline for Senate Bill No. 17-254, the Long Appropriations Bill:

The Friday, April 14 deadline (the 94th legislative day) for adoption of the conference committee report on the Long Appropriations Bill is extended until Wednesday, April 26, 2017 (the 106th legislative day).

This memorandum shall be printed in the journal of each house as is required by Joint Rule 23 (c).

(signed)	(signed)
Senator Grantham	Representative Duran
President of the Senate	Speaker of the House of Representatives
(signed)	(signed)
Senator Holbert	Representative Becker, K.
Senate Majority Leader	House Majority Leader
(signed)	(signed)
Senator Guzman	Representative Neville, P.
Senate Minority Leader	House Minority Leader

COMMITTEE OF REFERENCE REPORTS

Education — After consideration on the merits, the Committee recommends that **HB17-1003** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 6, after line 8, insert:

"(f) CONDUCT COLORADO-SPECIFIC RESEARCH CONCERNING THE EFFECT ON STUDENT OUTCOMES OF REQUIRING A TEACHER TO BE LICENSED AND PROVIDE THE RESEARCH FINDINGS IN THE PLAN WITH STRATEGIES THAT TAKE THE RESEARCH FINDINGS INTO ACCOUNT;".

Reletter succeeding paragraphs accordingly.

Page 6, line 20, strike "PLAN." and substitute "PLAN AND ENSURE THAT THE PLAN INCLUDES STRATEGIES THAT DO NOT REQUIRE ADDITIONAL RESOURCES.".

Appro-priations — After consideration on the merits, the Committee recommends that **HB17-1200** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations — After consideration on the merits, the Committee recommends that **SB17-216** 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 the Senate Judiciary Committee Report, dated April 10, 2017,

page 4, after line 12 insert:

"**SECTION 13. Appropriation - adjustments to 2017 long bill.** To implement this act, the cash fund appropriation from the collection agency cash fund created in section 12-14-136 (1)(a), C.R.S., made in the annual general appropriation act for the 2017-18 state fiscal year to the department of law for use by the division of consumer protection for the consumer credit unit is decreased by $860.".

Renumber succeeding section accordingly.

Page 1 of this bill, line 105, strike "**AGENCIES.**" and substitute "**AGENCIES AND REDUCING AN APPROPRIATION.**".

Finance

The Committee on Finance 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 RACING COMMISSION

for a term expiring July 1, 2020:

David Lynn Hoffman of Westminster, Colorado, a Democrat from the Seventh Congressional District, who has been previously engaged in the racing industry for at least five years, appointed.

Finance

The Committee on Finance 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 RACING COMMISSION

for a term expiring July 1, 2020:

Justine Scott Estes of Gypsum, Colorado, a Republican from the Third Congressional District, who is a registered elector of the state, appointed.

Judiciary

After consideration on the merits, the Committee recommends that **SB17-277** be postponed indefinitely.

Judiciary

After consideration on the merits, the Committee recommends that **HB17-1072** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 14, strike "(2)(a)" and substitute "(2)(a); and **add** (2.5)".

Page 2, before line 25 insert:

"(2.5) IT IS AN AFFIRMATIVE DEFENSE TO A CHARGE PURSUANT TO SUBSECTION (2) OF THIS SECTION IF THE PERSON BEING CHARGED CAN PROVE THAT, AT THE TIME OF THE OFFENSE, HE OR SHE WAS A VICTIM OF HUMAN TRAFFICKING FOR SEXUAL SERVITUDE WHO WAS FORCED OR COERCED INTO ENGAGING IN THE HUMAN TRAFFICKING OF MINORS FOR SEXUAL SERVITUDE PURSUANT TO SUBSECTION (2) OF THIS SECTION.".

Judiciary

After consideration on the merits, the Committee recommends that **HB17-1172** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1238** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1239** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1240** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1241** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1243** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1244** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1245** 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 — 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:

EXECUTIVE DIRECTOR OF
THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
AND ADJUTANT GENERAL

effective April 10, 2017 for a term expiring at the pleasure of the Governor:

Major General Michael A. Loh of Highlands Ranch, Colorado, appointed.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB17-283** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1175** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1088** be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1045** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 6, strike "WHEN THERE IS" and substitute "ONE YEAR AFTER THE DATE THAT".

Page 2, line 7, after "OPTION" insert "IS".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-082** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 27-80-207, **add** (5) as follows:

27-80-207. Qualifications for license. (5) IN ADDITION TO ANY OTHER APPLICABLE REQUIREMENT, THE DEPARTMENT SHALL REQUIRE AN APPLICANT FOR INITIAL LICENSURE UNDER THIS PART 2 TO SUBMIT ALL OF THE FOLLOWING:

(a) FOR EACH OWNER OR CHIEF EXECUTIVE OFFICER OF THE APPLICANT ENTITY, A COMPLETE SET OF FINGERPRINTS TO THE DEPARTMENT. THE DEPARTMENT SHALL SUBMIT THE FINGERPRINTS TO THE COLORADO BUREAU OF INVESTIGATION FOR THE PURPOSE OF CONDUCTING FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECKS. THE COLORADO BUREAU OF INVESTIGATION SHALL FORWARD THE FINGERPRINTS TO THE FEDERAL BUREAU OF INVESTIGATION FOR THE PURPOSE OF CONDUCTING FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECKS. THE DEPARTMENT MAY ACQUIRE A NAME-BASED CRIMINAL HISTORY RECORD CHECK FOR AN OWNER OR CHIEF EXECUTIVE OFFICER OF AN APPLICANT ENTITY WHO HAS TWICE SUBMITTED TO A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK AND WHOSE FINGERPRINTS ARE UNCLASSIFIABLE. THE DEPARTMENT SHALL USE THE INFORMATION RESULTING FROM THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECKS TO INVESTIGATE AND DETERMINE WHETHER AN APPLICANT IS QUALIFIED TO HOLD A LICENSE PURSUANT TO THIS PART 2. THE DEPARTMENT MAY VERIFY THE INFORMATION AN APPLICANT IS REQUIRED TO SUBMIT. THE APPLICANT SHALL PAY THE COSTS ASSOCIATED WITH THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECKS TO THE COLORADO BUREAU OF INVESTIGATION.

(b) INFORMATION DISCLOSING THE APPLICANT'S PROGRAMS LICENSED OR REGULATED BY ANY OTHER STATE AND ANY REGULATORY ACTION TAKEN AGAINST THE APPLICANT IN ANY OTHER STATE.

SECTION 2. In Colorado Revised Statute, 27-80-210, **add** (6) as follows:

27-80-210. Records to be kept - order forms - website posting. (6) WITH REGARD TO EACH ADDICTION PROGRAM LICENSED BY THE DEPARTMENT, THE DEPARTMENT SHALL FACILITATE THE POSTING ON A PUBLIC WEBSITE AND UPDATE AT LEAST ANNUALLY THE FOLLOWING INFORMATION:

(a) THE LOCATION OR LOCATIONS WHERE THE PROGRAM IS OPERATED AND THE HOURS OF OPERATION; AND

(b) CONTACT INFORMATION FOR THE PROGRAM, INCLUDING A PHONE NUMBER AND E-MAIL ADDRESS.

SECTION 3. In Colorado Revised Statutes, **add** 27-80-210.5 as follows:

27-80-210.5. Report - repeal. (1) ON OR BEFORE JANUARY 1, 2019, THE DEPARTMENT SHALL PREPARE AND SEND A WRITTEN REPORT ON TREATMENT PROVIDERS LICENSED PURSUANT TO THIS PART 2 TO THE JOINT BUDGET COMMITTEE, THE PUBLIC HEALTH CARE AND HUMAN SERVICES COMMITTEE IN THE HOUSE OF REPRESENTATIVES, AND THE HEALTH AND HUMAN SERVICES COMMITTEE IN THE SENATE, OR THEIR SUCCESSOR COMMITTEES. THE REPORT MUST INCLUDE THE FOLLOWING INFORMATION REGARDING EACH ENTITY LICENSED TO PROVIDE TREATMENT OF

SUBSTANCE USE DISORDERS PURSUANT TO THIS PART 2:

(a) THE ENTITY'S NAME, LOCATION, AND CONTACT INFORMATION;

(b) THE TYPE OF LICENSE ISSUED, LICENSING STATUS, AND THE EXPIRATION DATE OF THE LICENSE; AND

(c) THE NAME AND CONTACT INFORMATION OF THE OWNER OR CHIEF OPERATING OFFICER.

(2) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2019.

SECTION 4. Act subject to petition - effective date. This act takes effect July1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1280** 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 **HB17-1229** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB17-1269** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-269** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 7, after "liquors" insert "IN SEALED CONTAINERS FOR CONSUMPTION OFF THE PREMISES".

Page 2, line 9, strike "store's" and substitute "~~store's~~ STORE ESTABLISHMENT'S".

Page 2, line 10, strike "SPECIFIED IN" and substitute "DETERMINED IN ACCORDANCE WITH".

Page 2, line 20, strike "AND".

Page 2, line 22, strike "18-13-121 (5)." and substitute "18-13-121 (5);

(III) ICE, SOFT DRINKS, AND MIXERS; AND

(IV) NONFOOD ITEMS RELATED TO THE CONSUMPTION OF MALT, VINOUS, OR SPIRITUOUS LIQUORS.".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB17-1165** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, line 5, strike "MONTHLY," and substitute "EVERY THIRTY DAYS,".

Page 5, strike lines 2 and 3 and substitute:

"(d) UPDATE ITS WEBSITE WITHIN THIRTY DAYS AFTER SUSPENDING OR REVOKING A LICENSE TO SEPARATELY LIST EACH LICENSEE SUBJECT TO THE SUSPENSION OR REVOCATION.".

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-253** be referred to the Committee on Appropriations with favorable recommendation.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-276** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-133** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB17-1214** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB17-289; SCR17-001 and 002; SM17-002; SJM17-006 and 007; SJR17-032, 033, 034, 035, 036, and 037.
Correctly Engrossed: SJM17-004; SJR17-012.
Correctly Reengrossed: SB17-002, 075, 121, 186, 192, 198, 202, 243, 268, 272, and 279.
Correctly Rerevised: HB17-1008, 1185, 1219, and 1233.
Correctly Enrolled: SB17-213, 233, 234, and 241; SJR17-029.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

RECALL OF HB17-1104

Majority Leader Holbert moved for recall of **HB17-1104** from the House for purpose of reconsideration. A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted**. The bill was ordered recalled.

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:

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.

Laid over until Monday, April 17, retaining its place on the calendar.

SB17-211 by Senator(s) Scott; also Representative(s) Lawrence and Kraft-Tharp--Concerning a requirement that a state agency accept the full amount of a bid security bond issued by a surety company to a prospective contractor for a public project.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Holbert, Lambert, Marble, Neville T., Priola, and Tate.

HB17-1160 by Representative(s) Hamner and Wilson; also Senator(s) Priola and Fields--Concerning authorizing a local education provider to determine the language in which a student who is an English language learner takes reading assessments in kindergarten through third grade.

Laid over until Monday, April 17, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-229 by Senator(s) Holbert, Baumgardner; also Representative(s) Mitsch Bush and Lawrence, Ransom--Concerning failure to exhibit due care when passing vehicles displaying visual signals.

Removed from the General Orders--Second Reading of Bills Consent Calendar of Thursday, April 13, 2017 and placed at the end of the General Orders--Second Reading of Bills Calendar of Thursday, April 13, 2017.

HB17-1209 by Representative(s) Melton and Carver; also Senator(s) Cooke and Fields--Concerning peace officer designation for the manager of the office of prevention and security within the division of homeland security and emergency management in the department of public safety.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1150 by Representative(s) Navarro; also Senator(s) Hill--Concerning disallowing a court from granting bail after conviction to offenders who have committed certain felony crimes.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1155 by Representative(s) Thurlow; also Senator(s) Gardner--Concerning the ability to cure campaign finance reporting deficiencies without penalty.

Removed from the General Orders--Second Reading of Bills Consent Calendar of Thursday, April 13, 2017 and placed at the end of the General Orders--Second Reading of Bills Calendar of Thursday, April 13, 2017.

HB17-1223 by Representative(s) Saine and Kraft-Tharp, Nordberg, Winter; also Senator(s) Neville T. and Jahn, Donovan, Smallwood--Concerning the creation of a fraud reporting hotline to be administered by the state auditor, and, in connection therewith, establishing referral and reporting processes and state auditor investigative authority.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1181 by Representative(s) Pettersen and Lundeen, Carver, Esgar, Sias, Wilson, McLachlan, Exum, Buckner, Garnett, Lee, Bridges, Hamner, Young; also Senator(s) Priola and Todd--Concerning requiring a single statewide end-of-year assessment for students enrolled in ninth grade that is aligned with the tenth-grade state assessment, and, in connection therewith, reducing an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-240 by Senator(s) Jahn and Tate; also Representative(s) Winter--Concerning the continuation of the regulation of persons who sell vehicles in the ordinary course of business, and, in connection therewith, implementing the recommendations of the sunset report of the department of regulatory agencies.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 28, page 598 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, April 5, page(s) 675-676 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page(s) 754-755 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-236 by Senator(s) Coram; also Representative(s) Weissman--Concerning the continuation of the regulation of bail bonding agents regulated by article 23 of title 10, Colorado revised statutes, by the division of insurance, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.

Ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-240 as amended, SB17-236, HB17-1209, HB17-1150, HB17-1223, HB17-1181.
Laid over to the end of the General Orders -- Second Reading of Bills calendar, Thursday, April 13: SB17-229, HB17-1155.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1123 by Representative(s) Lebsock and Thurlow, Neville P., Humphrey, Melton, Singer, Leonard; also Senator(s) Marble, Holbert--Concerning the ability of a local government to extend the hours during which alcohol beverages may be sold for consumption on a licensed premises.

Laid over until Friday, April 21, retaining its place on the calendar.

SB17-103 by Senator(s) Merrifield, Todd, Kerr, Zenzinger, Jones; --Concerning implementing research-based early learning strategies as corrective actions in the public elementary and secondary education accountability system.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 17, page(s) 242-243 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 6, page 693 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-281 by Senator(s) Neville T. and Marble, Cooke, Baumgardner, Holbert, Lambert, Lundberg, Scott, Smallwood, Sonnenberg; also Representative(s) Williams D. and Covarrubias, Beckman, Humphrey, Leonard, Lewis, Lundeen, Navarro, Neville P., Nordberg, Ransom, Saine, Sias, Van Winkle--Concerning holding Colorado government accountable for creating sanctuary jurisdiction policies.

Laid over until Monday, April 24, retaining its place on the calendar.

HB17-1272 by Representative(s) Hooton, Arndt, Nordberg, Thurlow; also Senator(s) Moreno, Kerr, Martinez Humenik, Tate--Concerning the scheduled repeal of reports by the department of labor and employment to the general assembly.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1158 by Representative(s) McKean; also Senator(s) Smallwood and Martinez Humenik--Concerning the regulation of charitable solicitations by the secretary of state, and, in connection therewith, modifying and clarifying filing requirements and enforcement of the "Colorado Charitable Solicitations Act".

Ordered revised and placed on the calendar for third reading and final passage.

SB17-009 by Senator(s) Crowder; also Representative(s) Leonard--Concerning an increase in the per-schedule exemption of business personal property.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, February 3, page 129 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 754 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-107 by Senator(s) Merrifield, Fenberg, Kerr, Todd, Zenzinger; also Representative(s) McLachlan--Concerning measures to reward public education entities that provide student access to arts education programs.

Laid over until Monday, April 17, retaining its place on the calendar.

SB17-238 by Senator(s) Holbert; also Representative(s) Neville P. and Wist, Everett--Concerning the notifications that retailers that do not collect Colorado sales tax must provide.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 5, page 676 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 754 and placed in members' bill files.)

Amendment No. 3(L.003), by Senator Holbert.

Amend the Finance Committee Report, dated April 4, 2017, page 1, line 16, strike "8TH" and substitute "4TH".

Page 2, line 7, strike "8TH" and substitute "4TH".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-284 by Senator(s) Marble and Lundberg, Neville T.; also Representative(s) Saine and Ransom--Concerning the creation of the "Women's Reproductive Information Guarantee for Health and Transparency (RIGHT) Act".

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 755 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.)

HB17-1106 by Representative(s) Pettersen and Wilson; also Senator(s) Martinez Humenik--Concerning the early childhood leadership commission.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-288 by Senator(s) Gardner; --Concerning the decoupling of the compensation of a member of the general assembly from the compensation of a county court judge.

Amendment No. 1(L.001), by Senator Gardner.

Amend printed bill, page 2, strike lines 12 through 15 and substitute:

"services an amount equal to twenty-five percent of the total annual salary paid as of such day to the judges of the county court in Class B counties, as defined in section 13-6-201, ~~C.R.S. The base compensation shall be~~ AS ESTABLISHED IN THE APPROPRIATION ACT OF 2016, HOUSE BILL 16-1405, FOOTNOTE 56, PAGES 130 AND 131, payable in".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-229 by Senator(s) Holbert, Baumgardner; also Representative(s) Mitsch Bush and Lawrence, Ransom--Concerning failure to exhibit due care when passing vehicles displaying visual signals.

Amendment No. 1(L.002), by Senator Holbert.

Amend printed bill, page 4, strike lines 26 and 27.

Page 5, strike lines 1 through 6.

Renumber succeeding section accordingly.

Amendment No. 2(L.003), by Senator Holbert.

Amend printed bill, page 2, after line 1 insert:

"**SECTION 1. Short title.** This act is known as the "Move Over for Cody Act".".

Renumber succeeding sections accordingly.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1155 by Representative(s) Thurlow; also Senator(s) Gardner--Concerning the ability to cure campaign finance reporting deficiencies without penalty.

Amendment No. 1(L.009), by Senator Gardner.

Amend reengrossed bill, page 4, strike lines 18 through 22 and substitute "SUBSTANTIAL COMPLIANCE, THE ADMINISTRATIVE LAW JUDGE SHALL ENTER OR IMPOSE ANY APPROPRIATE ORDER, SANCTION, OR RELIEF AUTHORIZED BY ARTICLE XXVIII OF THE STATE CONSTITUTION OR THIS ARTICLE 45.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB17-284 by Senator(s) Marble and Lundberg, Neville T.; also Representative(s) Saine and Ransom--Concerning the creation of the "Women's Reproductive Information Guarantee for Health and Transparency (RIGHT) Act".

Senator Aguilar moved to amend the Report of the Committee of the Whole to show that SB17-284 did not pass.

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-103 as amended, SB17-009 as amended, SB17-238 as amended, SB17-288 as amended, SB17-229 as amended,
HB17-1272, HB17-1158, HB17-1106, HB17-1155 as amended.
Lost on second reading: SB17-284 as amended.
Laid over until Monday, April 17: SB17-107.
Laid over until Friday, April 21: HB17-1123.
Laid over until Monday, April 24: SB17-281.

CONSIDERATION OF RESOLUTIONS

SJR17-032 by Senator(s) Kerr, Court, Guzman, Jahn, Merrifield, Williams A.; also Representative(s) Danielson--Concerning the recognition of Colorado workers who died on the job, and, in connection therewith, commemorating the twenty-eighth anniversary of workers' memorial day on April 28, 2017.

Laid over until Thursday, April 27, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Consideration of Resolutions Calendar (SJR17-035, SJR17-036, SJR17-037, HJR17-1018) of Thursday, April 13, was laid over until Monday, April 17, retaining its place on the calendar.

CONSIDERATION OF MEMORIALS

SM17-002 by Senator(s) Hill and Garcia; --Concerning memorializing Congress to hold the United States Department of Veterans Affairs accountable.

Laid over until Wednesday, April 19, retaining its place on the calendar.

SJM17-006 by Senator(s) Neville T.; also Representative(s) Leonard--Concerning the transfer of federal transportation funding to the state.

Laid over until Monday, April 17, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of House Amendments to Senate Bills Calendar (SB17-258, SB17-259, SB17-254, SB17-231) of Thursday, April 13, 2017, was laid over until Monday, April 17, 2017, retaining its place on the calendar.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-068, 088, 112, 115, and 137; HB17-1012, 1110, 1138, 1174, 1184, and 1193.

MESSAGE FROM THE HOUSE

April 13, 2017

Mr. President:

In response to the request of the Senate for the recall of HB17-1104, the bill is transmitted herewith.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB17-1255 by Representative(s) Nordberg, Arndt, Hooton, Thurlow; also Senator(s) Kerr, Martinez Humenik, Moreno, Tate--Concerning the scheduled repeal of a report by the board of veterans affairs to the general assembly.
State, Veterans, & Military Affairs

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Senator Todd was added as a Senate joint prime sponsor on HB17-1106 with Senator Martinez Humenik and Represenatives Pettersen and Wilson.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Coram, Chair, Crowder, and Donovan were appointed as Senate conferees on the first conference committee on **HB17-1070**.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, April 13, 2017, at 08:50 a.m.:
SB17-036, 068, 088, 112, 115, and 137.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, April 17, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

94th Legislative Day Friday, April 14, 2017

THE SENATE DID NOT CONVENE ON THIS DAY

DUE TO OBSERVANCE OF GOOD FRIDAY

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

97th Legislative Day Monday, April 17, 2017

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--33
Excused--2, Fields, Williams.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Thursday, April 13, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance — After consideration on the merits, the Committee recommends that **SB17-273** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB17-287** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 5, strike "**definitions.**" and substitute "**definitions - repeal.**".

Page 3, line 5, strike "JANUARY 1, 2017, BUT PRIOR TO JANUARY 1, 2020," and substitute "JANUARY 1, 2019, BUT PRIOR TO JANUARY 1, 2022,".

Page 4, after line 14 insert:

"(6) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2025.".

Finance — After consideration on the merits, the Committee recommends that **HB17-1057** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 33, strike lines 14 through 23 and substitute:

"**SECTION 6. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

Finance

After consideration on the merits, the Committee recommends that **HB17-1253** 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 8, after line 10 insert:

"**11-51-1006. Immunity for nondisclosure.** A QUALIFIED INDIVIDUAL WHO, IN GOOD FAITH AND EXERCISING REASONABLE CARE, FAILS TO REPORT PURSUANT TO THIS PART 10 IS IMMUNE FROM ANY ADMINISTRATIVE, CRIMINAL, OR CIVIL LIABILITY FOR HIS OR HER FAILURE TO REPORT.".

Renumber succeeding C.R.S. sections accordingly.

Education

The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for terms expiring July 1, 2020:

Cassandra "Cassie" Gannett, PhD of Colorado Springs, Colorado, a resident of the Fifth Congressional District and an Unaffiliated, appointed;

Mary Beth Buescher of Grand Junction, Colorado, a resident of the Third Congressional District and a Democrat, appointed.

effective July 1, 2017 for terms expiring July 1, 2021:

Luis Alberto Colon of Lone Tree, Colorado, to serve as a resident of the Fourth Congressional District and as a Republican, reappointed;

Thomas Oliver McGimpsey of Louisville, Colorado, to serve as a resident of the Second Congressional District and as a Republican, reappointed.

Education

The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO EDUCATIONAL AND CULTURAL
FACILITIES AUTHORITY BOARD OF DIRECTORS

for terms expiring June 30, 2020:

Claudia Beth Crowell of Grand Junction, Colorado, a Democrat, reappointed;

Margaret Henry of Brighton, Colorado, a Republican, reappointed.

Education

The Committee on Education 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
STATE HISTORICAL SOCIETY
BOARD OF DIRECTORS

for a term expiring July 1, 2019:

Alan Bruce Salazar of Thornton, Colorado, appointed.

Education

The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2019:

Ryan Zivorad Minic of Thornton, Colorado to serve as a representative of a private occupational school, and occasioned by the resignation of Richard Semakula of Centennial, Colorado, appointed;

for a term expiring July 1, 2020:

Robert Earl Martin of Wheat Ridge, Colorado to serve as a representative of a private occupational school, appointed.

Education

After consideration on the merits, the Committee recommends that **HB17-1267** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education

After consideration on the merits, the Committee recommends that **HB17-1217** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO TRAUMATIC BRAIN INJURY TRUST FUND BOARD

for terms expiring June 30, 2019:

Brittany Matern of Denver, Colorado, appointed;

Catharine Howard Johnston-Brooks, PhD, ABPP of Broomfield, Colorado, reappointed;

Helen E. Morgan of Denver, Colorado, reappointed.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-250** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB17-009, 103, 229, 236, 238, 240, and 288.
Correctly Reengrossed: SB17-211.
Correctly Revised: HB17-1106, 1150, 1155, 1158, 1181, 1209, 1223, and 1272 .

MESSAGE FROM THE HOUSE

April 13, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1261, 1262.

The House has postponed indefinitely SB17-035, 200. The bills are returned herewith.

The House has adopted the First Majority Report of the First Conference Committee on SB17-106, as printed in House Journal, April 11, 2017, and has repassed the bill as so amended. The bill is returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

April 13, 2017

We herewith transmit:

Without comment, HB17-1261 and 1262.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB17-290 by Senator(s) Scott and Donovan; --Concerning a requirement that engineering plans involving excavation provide detailed information about the location of underground facilities.
Agriculture, Natural Resources, & Energy

SB17-291 by Senator(s) Martinez Humenik; also Representative(s) Bridges--Concerning continuation of the school safety resource center advisory board.
Education

SB17-292 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning the creation of the employment opportunities with wages program for qualifying Colorado works basic cash assistance recipients, and, in connection therewith, making an appropriation.
Appropriations

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1209 by Representative(s) Melton and Carver; also Senator(s) Cooke and Fields--Concerning peace officer designation for the manager of the office of prevention and security within the division of homeland security and emergency management in the department of public safety.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Martinez Humenik, Tate, and Todd.

HB17-1150 by Representative(s) Navarro; also Senator(s) Hill--Concerning disallowing a court from granting bail after conviction to offenders who have committed certain felony crimes.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Fenberg, Gardner, Jahn, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Smallwood, and Tate.

HB17-1223 by Representative(s) Saine and Kraft-Tharp, Nordberg, Winter; also Senator(s) Neville T. and Jahn, Donovan, Smallwood--Concerning the creation of a fraud reporting hotline to be administered by the state auditor, and, in connection therewith, establishing referral and reporting processes and state auditor investigative authority.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Court, Crowder, Fenberg, Gardner, Grantham, Guzman, Holbert, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Scott, Tate, and Todd.

HB17-1181 by Representative(s) Pettersen and Lundeen, Carver, Esgar, Sias, Wilson, McLachlan, Exum, Buckner, Garnett, Lee, Bridges, Hamner, Young; also Senator(s) Priola and Todd--Concerning requiring a single statewide end-of-year assessment for students enrolled in ninth grade that is aligned with the tenth-grade state assessment, and, in connection therewith, reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Donovan, Jones, Kefalas, Kerr, Lambert, Merrifield, Moreno, and Zenzinger.

SB17-240 by Senator(s) Jahn and Tate; also Representative(s) Winter--Concerning the continuation of the regulation of persons who sell vehicles in the ordinary course of business, and, in connection therewith, implementing the recommendations of the sunset report of the department of regulatory agencies and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB17-236 by Senator(s) Coram; also Representative(s) Weissman--Concerning the continuation of the regulation of bail bonding agents regulated by article 23 of title 10, Colorado revised statutes, by the division of insurance, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gardner.

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:

SB17-071 by Senator(s) Tate; --Concerning reductions in early voting period requirements for voter service and polling centers used in general elections, and, in connection therewith, adjusting requirements and reallocating resources as a result of savings from those reductions.

Laid over until Monday, April 24, retaining its place on the calendar.

HB17-1201 by Representative(s) Coleman, Lundeen; also Senator(s) Zenzinger and Priola, Todd--Concerning authorization for granting a high school diploma endorsement in the combined disciplines of science, technology, engineering, and mathematics.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	5	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Donovan, Fenberg, Gardner, Grantham, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Moreno, and Tate.

HB17-1186 by Representative(s) Pettersen and Landgraf; also Senator(s) Coram--Concerning a requirement that health benefit plans required to cover contraception reimburse dispensers for dispensing a multiple-months' supply of prescription contraceptives.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	11	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Garcia, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Todd, and Zenzinger.

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.

Laid over until Tuesday, April 18, retaining its place on the calendar.

HB17-1160 by Representative(s) Hamner and Wilson; also Senator(s) Priola and Fields--Concerning authorizing a local education provider to determine the language in which a student who is an English language learner takes reading assessments in kindergarten through third grade.

Laid over until Tuesday, April 18, retaining its place on the calendar.

SB17-103 by Senator(s) Merrifield, Todd, Kerr, Zenzinger, Jones; als Representative(s) Pettersen--Concerning implementing research-based early learning strategies as corrective actions in the public elementary and secondary education accountability system.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	14	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	E	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fenberg, Garcia, Guzman, Kefalas, and Moreno.

HB17-1272 by Representative(s) Hooton, Arndt, Nordberg, Thurlow; also Senator(s) Moreno, Kerr, Martinez Humenik, Tate--Concerning the scheduled repeal of reports by the department of labor and employment to the general assembly.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kagan.

HB17-1158 by Representative(s) McKean; also Senator(s) Smallwood and Martinez Humenik--Concerning the regulation of charitable solicitations by the secretary of state, and, in connection therewith, modifying and clarifying filing requirements and enforcement of the "Colorado Charitable Solicitations Act".

Laid over until Tuesday, April 18, retaining its place on the calendar.

SB17-009 by Senator(s) Crowder; also Representative(s) Leonard--Concerning an increase in the per-schedule exemption of business personal property, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	4	EXCUSED	2	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Grantham, Hill, Holbert, Jahn, Kagan, Kerr, Lambert, Lundberg, Marble, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, and Zenzinger.

IMMEDIATE RECONSIDERATION OF SB17-009

SB17-009 by Senator(s) Crowder; also Representative(s) Leonard--Concerning an increase in the per-schedule exemption of business personal property, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Holbert moved for immediate reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB17-009.

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 titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB17-009 by Senator(s) Crowder; also Representative(s) Leonard--Concerning an increase in the per-schedule exemption of business personal property, 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	6	EXCUSED	2	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB17-238 by Senator(s) Holbert; also Representative(s) Neville P. and Wist, Everett--Concerning the notifications that retailers that do not collect Colorado sales tax must provide, and, in connection therewith, reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	14	EXCUSED	2	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	E
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	E	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Hill, Lambert, Lundberg, Marble, Neville T., Priola, Scott, Smallwood, Sonnenberg, and Tate.

HB17-1106 by Representative(s) Pettersen and Wilson; also Senator(s) Martinez Humenik and Todd--Concerning the early childhood leadership commission.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	12	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Donovan, Fenberg, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, and Zenzinger.

SB17-288 by Senator(s) Gardner; also Representative(s) Becker K. and Young--Concerning the decoupling of the compensation of a member of the general assembly from the compensation of a county court judge.

A majority of those elected to the Senate having voted in the affirmative, Senator Gardner was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.002), by Senator Gardner.

Amend engrossed bill, page 2, line 13, strike "as of such day" and substitute "~~as of such day~~".

The amendment was **passed** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	26	NO	7	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	E	Kefalas	Y	Priola	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: Cooke, Crowder, Grantham, Guzman, Holbert, Kagan, Priola, Scott, and Tate.

SB17-229 by Senator(s) Holbert, Baumgardner; also Representative(s) Mitsch Bush and Lawrence, Ransom--Concerning failure to exhibit due care when passing vehicles displaying visual signals.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Garcia, Gardner, Grantham, Guzman, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Tate, Todd, and Zenzinger.

HB17-1155 by Representative(s) Thurlow; also Senator(s) Gardner--Concerning the ability to cure campaign finance reporting deficiencies without penalty.

A majority of those elected to the Senate having voted in the affirmative, Senator Gardner was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.010), by Senator Gardner.

Amend revised bill, page 2, line 9, strike "also" and substitute "~~also~~".

Page 4, line 22, strike "THIS SECTION," and substitute "SUBSECTION (4)(c) OF THIS SECTION,".

The amendment was **passed** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	11	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	N	Williams A.	E
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	N	Neville T.	N	President	Y
Fields	E	Kefalas	Y	Priola	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: Hill.

MESSAGE FROM THE HOUSE

April 17, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1024, as printed in House Journal, April 17, 2017.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR17-1024 by Representative(s) Garnett and Wist; also Senator(s) Aguilar and Tate--Concerning celebrating the University of Denver Pioneers ice hockey team's 2017 NCAA championship win.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

HJR17-1024 by Representative(s) Garnett and Wist; also Senator(s) Aguilar and Tate--Concerning celebrating the University of Denver Pioneers ice hockey team's 2017 NCAA championship win.

On motion of Senator Aguilar, the resolution was read at length and **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Todd, and Zenzinger.

Senate in recess. Senate reconvened.

SJR17-035 by Senator(s) Donovan, Garcia, Hill, Kerr, Zenzinger; also Representative(s) Weissman--Concerning recognizing the importance of conquering scientific challenges from medicine to space and beyond.

Laid over until Tuesday, April 18, retaining its place on the calendar.

SJR17-036 by Senator(s) Zenzinger; also Representative(s) Buckner--Concerning designating April 2017 as "Autism Awareness Month".

Laid over until Tuesday, April 18, retaining its place on the calendar.

SJR17-037 by Senator(s) Moreno; also Representative(s) Michaelson Jenet--Concerning the designation of May 1 through May 7, 2017, as "National Maternal Health Awareness Week".

Laid over until Tuesday, May 2, retaining its place on the calendar.

HJR17-1018 by Representative(s) Willett; also Senator(s) Scott--Concerning the designation of a portion of state highway 340 as the "Tour of the Moon Byway".

Laid over until Friday, April 21, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-286 by Senator(s) Holbert; also Representative(s) Ransom--Concerning the administration of the requirements necessary to allow a person to operate a motor vehicle on the highways of the state.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1213 by Representative(s) Van Winkle; also Senator(s) Holbert--Concerning the transfer of a vehicle title upon the death of the vehicle's owner.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1205 by Representative(s) Melton, Pabon; also Senator(s) Martinez Humenik--Concerning changing the definition of "salvage vehicle".

Ordered revised and placed on the calendar for third reading and final passage.

SB17-270 by Senator(s) Baumgardner; also Representative(s) Melton--Concerning an examination by the transportation legislation review committee of replacing standard license plates issued to motor vehicles.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, April 12, page 772 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 -- CONSENT CALENDAR

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

The Committee of the Whole took the following action:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

Passed on second reading: SB17-286, SB17-270 as amended, HB17-1213, HB17-1205.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-003 by Senator(s) Smallwood; also Representative(s) Neville P.--Concerning the repeal of the "Colorado Health Benefit Exchange Act".

Laid over until Monday, April 24, retaining its place on the calendar.

SB17-188 by Senator(s) Marble, Baumgardner, Cooke, Holbert, Lundberg, Neville T., Sonnenberg; --Concerning the repeal of income tax credits for innovative motor vehicles for purchases and leases entered into on or after January 1, 2018.

Laid over until Monday, April 24, retaining its place on the calendar.

SB17-107 by Senator(s) Merrifield, Fenberg, Kerr, Todd, Zenzinger; also Representative(s) McLachlan--Concerning measures to reward public education entities that provide student access to arts education programs.

Laid over until Tuesday, April 18, retaining its place on the calendar.

HB17-1222 by Representative(s) Landgraf; also Senator(s) Gardner--Concerning a voluntary contribution designation benefiting the family caregiver support fund that appears on the state individual tax return forms.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-278 by Senator(s) Coram; also Representative(s) Ginal--Concerning a prohibition against engaging in a nuisance exhibition of motor vehicle exhaust.

Laid over until Tuesday, April 18, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1222.
Laid over until Tuesday, April 18: SB17-107, SB17-278.
Laid over until Monday, April 24: SB17-003, SB17-188.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB17-1172, HB17-1238, HB17-1239, HB17-1240, HB17-1241, HB17-1243, HB17-1244, HB17-1245, HB17-1280, and SB17-269 were made Special Orders -- Consent Calendar at 11:08 a.m.

Upon request of Majority Leader Holbert, **SB17-216** was removed from the General Orders--Second Reading of Bills Consent Calendar of Tuesday, April 18, 2017 and was placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, April 18, 2017.

Committee of the Whole

The hour of 11:08 a.m. having arrived, Senator Tate 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 Tate 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:

HB17-1172 by Representative(s) Carver and Navarro; also Senator(s) Cooke--Concerning criminal penalties for persons who commit human trafficking of a minor for sexual servitude.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1238 by Representative(s) Lee, Foote, Herod, Willett, Wist; also Senator(s) Holbert, Cooke, Gardner, Guzman, Kagan--Concerning the nonsubstantive relocation of laws related to debt management and collection services from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1239 by Representative(s) Wist, Foote, Herod, Lee, Willett; also Senator(s) Guzman, Cooke, Gardner, Holbert, Kagan--Concerning the nonsubstantive relocation of laws related to private occupational schools from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1240 by Representative(s) Wist, Foote, Herod, Lee, Willett; also Senator(s) Cooke, Gardner, Guzman, Holbert, Kagan--Concerning the nonsubstantive relocation of the laws related to the department of public health and environment from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1241 by Representative(s) Herod, Foote, Lee, Willett, Wist; also Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan--Concerning the nonsubstantive relocation of laws related to Indian arts and crafts sales from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1243 by Representative(s) Willett, Foote, Herod, Lee, Wist; also Senator(s) Guzman, Cooke, Gardner, Holbert, Kagan--Concerning the nonsubstantive relocation of the laws related to wholesale sales representatives from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1244 by Representative(s) Herod, Foote, Lee, Willett, Wist; also Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan--Concerning the nonsubstantive relocation of the laws related to cemeteries from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1245 by Representative(s) Foote, Herod, Lee, Willett, Wist; also Senator(s) Kagan, Cooke, Gardner, Guzman, Holbert--Concerning the nonsubstantive relocation of the laws related to public establishments from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1280 by Representative(s) Michaelson Jenet and Young; also Senator(s) Gardner--Concerning conforming Colorado statutory language related to disability trusts to the federal "21st Century Cures Act".

Ordered revised and placed on the calendar for third reading and final passage.

SB17-269 by Senator(s) Marble and Aguilar; also Representative(s) Winter and McKean--Concerning the exclusion of specified nonalcohol products from the calculation of the maximum amount of a retail liquor store's annual gross sales revenue that may be derived from the sale of nonalcohol products.

Removed from the Special Orders--Second Reading of Bills Consent Calendar of Monday, April 17, 2017 and placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, April 18, 2017.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1172, HB17-1238, HB17-1239, HB17-1240, HB17-1241, HB17-1243, HB17-1244, HB17-1245, HB17-1280.
Laid over to the end of the General Orders -- Second Reading of Bills calendar, Tuesday, April 18: SB17-269.

CONSIDERATION OF MEMORIALS

SJM17-006 by Senator(s) Neville T.; also Representative(s) Leonard--Concerning the transfer of federal transportation funding to the state.

On motion of Senator Neville, the memorial was read at length and **adopted** by the following roll call vote:

YES	21	NO	12	EXCUSED	2	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	E
Donovan	N	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	E	Kefalas	N	Priola	Y		

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Martinez Humenik, Smallwood, Sonnenberg, and Tate.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-258 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning the use of open educational resources in public institutions of higher education, and, in connection therewith, making an appropriation.

Senator Lundberg moved that the Senate not concur in House amendments to **SB17-258**, as printed in House journal, April 6, page(s) 792-793, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

Senators Lambert, Chair, Lundberg, and Moreno were appointed as Senate conferees on the first conference committee on **SB17-258**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB17-258 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning the use of open educational resources in public institutions of higher education, and, in connection therewith, making an appropriation.

Senator Lundberg moved that the Senate conferees on the first conference committee on **SB17-258** be granted permission to go beyond the scope of the differences between the two houses.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted**.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS (cont'd)

SB17-259 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning a transfer of money from the general fund to cash funds administered by state departments for the protection of the state's natural resources.

Laid over until Tuesday, April 18, retaining its place on the calendar.

SB17-254 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.

Laid over until Tuesday, April 18, retaining its place on the calendar.

SB17-231 by Senator(s) Moreno, Kerr, Martinez Humenik, Tate; also Representative(s) Thurlow, Arndt, Hooton, Nordberg--Concerning the scheduled repeal of reports by the department of transportation to the general assembly.

Senator Moreno moved that the Senate concur in House amendments to **SB17-231**, as printed in House journal, April 11, page 857. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
TRANSPORTATION COMMISSION

for a term expiring July 1, 2019:

Robert Keith Scott of Colorado Springs, Colorado, to serve as a commissioner from the Ninth Transportation District, and occasioned by the resignation of Nolan E. Schriner of Colorado Springs, Colorado, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

MEMBER OF THE
WATER QUALITY CONTROL COMMISSION

for a term expiring February 15, 2020:

Michael Gooseff of Fort Collins, Colorado, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

MEMBER OF THE
STATE BOARD OF THE
GREAT OUTDOORS COLORADO TRUST FUND

for a term expiring April 15, 2017:

Karma Giulianelli of Golden, Colorado, a resident of the 7th Congressional District, and a Democrat, and occasioned by the resignation of James R. Spaanstra of Lakewood, Colorado, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO RACING COMMISSION

for terms expiring July 1, 2020:

Justine Scott Estes of Gypsum, Colorado, a Republican from the Third Congressional District, who is a registered elector of the state, appointed;

David Lynn Hoffman of Westminster, Colorado, a Democrat from the Seventh Congressional District, who has been previously engaged in the racing industry for at least five years, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

EXECUTIVE DIRECTOR OF
THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
AND ADJUTANT GENERAL

effective April 10, 2017 for a term expiring at the pleasure of the Governor:

Major General Michael A. Loh of Highlands Ranch, Colorado, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB17-106 by Senator(s) Aguilar and Coram, Kefalas; also Representative(s) Singer--Concerning the continuation of the regulation of naturopathic doctors by the director of the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the department's sunset review recommendations.

Laid over until Tuesday, April 18, retaining its place on the calendar.

MESSAGE FROM THE GOVERNOR

April 13, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-154: CONCERNING THE "UNIFORM UNSWORN DECLARATIONS ACT".

Approved April 13, 2017 at: 12:06pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

MESSAGE FROM THE HOUSE

April 17, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1031, 1265, 1295.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1225, amended as printed in House Journal, April 13, 2017.
HB17-1299, amended as printed in House Journal, April 13, 2017.
HB17-1232, amended as printed in House Journal, April 13, 2017.
HB17-1282, amended as printed in House Journal, April 13, 2017.
HB17-1228, amended as printed in House Journal, April 13, 2017.
HB17-1235, amended as printed in House Journal, April 13, 2017.
HB17-1077, amended as printed in House Journal, April 13, 2017.
HB17-1216, amended as printed in House Journal, April 13, 2017.
HB17-1287, amended as printed in House Journal, April 13, 2017.

The House has passed on Third Reading and returns herewith SB17-148, 220.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB17-083, amended as printed in House Journal, April 13, 2017.
SB17-187, amended as printed in House Journal, April 13, 2017.

The House has voted to concur in the Senate amendments to HBs17-1203, 1233 and has repassed the bills as so amended.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, April 18, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

98th Legislative Day Tuesday, April 18, 2017

Prayer — By the chaplain, Dan File, Capitol Commission, Lake City.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Williams.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Monday, April 17, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB17-1035

****
THIS REPORT ADOPTS THE REENGROSSED
BILL
****

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB17-1035, concerning allowing certain crime victims to break their rental agreements under certain circumstances, has met and reports that it has agreed upon the following:

That the Senate recede from its amendment made to the bill and that the reengrossed bill be adopted without change.

Respectfully submitted,

House Committee:
(signed)
Dominique Jackson, Chair
Terri Carver
Mike Weissman

Senate Committee:
(signed)
John Cooke, Chair
Rhonda Fields
Bob Gardner

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB17-1263** 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, after line 7 insert:

"(1) "BUSINESS ENTITY" INCLUDES AN INDIVIDUAL WORKING FOR OR ACTING ON BEHALF OF THE SELF-STORAGE RETAILER.".

Page 2, line 8, strike "(1)" and substitute "(2)".

Page 2, strike lines 11 through 14.

Page 3, line 13, strike "FOR THE PURPOSES".

Page 3, strike lines 14 and 15.

Page 3, strike line 19 and substitute "THAT IS A LIMITED LINE PRODUCER, AS THAT TERM IS DEFINED IN SECTION 10-2-103 (7.3),".

Page 5, line 27, strike everything after "OF" and substitute "SECTION 10-2-406.".

Page 6, line 13, strike "LIMITED LINES SELF-STORAGE INSURANCE PRODUCER" and substitute "SUPERVISING ENTITY".

Page 7, lines 23 and 24, strike "LIMITED LINES SELF-STORAGE INSURANCE PRODUCER" and substitute "SUPERVISING ENTITY".

Page 10, lines 5 and 6, strike "OR THE OPERATOR".

Page 10, line 8, strike "OR THE OPERATOR".

Page 10, lines 16 and 17, strike "AND CONTINUING EDUCATION REQUIREMENTS IN SECTION 10-2-403." and substitute "REQUIREMENTS IN SECTION 10-2-402.".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB17-1249** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, after line 5 insert:

"**SECTION 2.** In Colorado Revised Statutes, 12-6-120, **amend** (2) as follows:

12-6-120. Unlawful acts. (2) It is unlawful for any person to act as a motor vehicle dealer, manufacturer, distributor, wholesaler, manufacturer representative, used motor vehicle dealer, buyer agent, wholesale motor vehicle auction dealer, or motor vehicle salesperson unless such person has been duly licensed under ~~the provisions of~~ this part 1, except for:

(a) Persons exempt from licensure as a manufacturer pursuant to section 12-6-102 (11); however, such persons shall comply with all other applicable requirements for manufacturers, including, but not limited to, those pertaining to vehicle identification numbers and manufacturers' statements of origin; AND

(b) BUSINESS OWNERS SELLING A VEHICLE IF THE VEHICLE HAS BEEN OWNED FOR MORE THAN ONE YEAR, THE VEHICLE HAS BEEN USED EXCLUSIVELY FOR BUSINESS PURPOSES, THE VEHICLE IS TITLED IN THE NAME OF THE BUSINESS, ALL APPLICABLE TAXES RELATED TO THE VEHICLE HAVE BEEN PAID, AND THE TOTAL NUMBER OF VEHICLES SOLD BY A BUSINESS OWNER OVER A TWO-YEAR PERIOD DOES NOT EXCEED TWENTY VEHICLES.".

Renumber succeeding sections accordingly.

Page 3, after line 24 insert:

"**SECTION 5.** In Colorado Revised Statutes, **amend** 12-6-527 as follows:

12-6-527. Penalty. (1) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, a person who willfully violates this part 5 commits a class 1 misdemeanor and shall be punished as provided in section 18-1.3-501. ~~C.R.S.; except that~~

(2) (a) A person who WILLFULLY violates section 12-6-523 (2) BY ACTING AS A POWERSPORTS VEHICLE MANUFACTURER, POWERSPORTS VEHICLE DISTRIBUTOR, OR POWERSPORTS VEHICLE MANUFACTURER REPRESENTATIVE WITHOUT PROPER AUTHORIZATION commits a class 3 misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars for each separate offense, or if the violator is a corporation, the fine shall be not less than five hundred dollars nor more than two thousand five hundred dollars for each separate offense. A second conviction shall be punished by a fine of two thousand five hundred dollars.

(b) A PERSON WHO WILLFULLY VIOLATES SECTION 12-6-523 (2) BY ACTING AS A WHOLESALER, POWERSPORTS VEHICLE DEALER, USED POWERSPORTS VEHICLE DEALER, OR POWERSPORTS VEHICLE SALESPERSON WITHOUT PROPER AUTHORIZATION COMMITS A CLASS 3 MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED BY A FINE OF NOT LESS THAN ONE THOUSAND DOLLARS AND A PENALTY OF TWENTY-FIVE HOURS OF USEFUL PUBLIC SERVICE, NEITHER OF WHICH THE COURT MAY SUSPEND, FOR EACH SEPARATE OFFENSE; EXCEPT THAT, IF THE VIOLATOR IS A CORPORATION, THE CORPORATION SHALL BE PUNISHED BY A FINE OF NOT LESS THAN FIVE THOUSAND DOLLARS NOR MORE THAN TWENTY-FIVE THOUSAND DOLLARS FOR EACH SEPARATE OFFENSE. A SECOND CONVICTION FOR AN INDIVIDUAL SHALL BE PUNISHED BY A FINE OF NOT LESS THAN FIVE THOUSAND DOLLARS NOR MORE THAN TWENTY-FIVE THOUSAND DOLLARS FOR EACH SEPARATE OFFENSE, WHICH THE COURT MAY NOT SUSPEND.".

Renumber succeeding sections accordingly.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB17-274** 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 **HB17-1113** be referred to the Committee on Legislative Council with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1211** be referred to the Committee on Education with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1210** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SB17-290, 291, and 292.
Correctly Engrossed: SB17-270 and 286; SJM17-006.
Correctly Reengrossed: SB17-009, 103, 229, 236, 238, 240, and 288.
Correctly Revised: HB17-1172, 1205, 1213, 1222, 1238, 1239, 1240, 1241, 1243, 1244, 1245, and 1280; HJR17-1024.
Correctly Rerevised: HB17-1106, 1150, 1155, 1181, 1186, 1201, 1209, 1223, and 1272.
Correctly Enrolled: SB17-148, 220, and 231.

MESSAGE FROM THE HOUSE

April 17, 2017

Mr. President:

In response to the request of the Senate, the Speaker has appointed Representatives Young, chairman, Rankin, and Hamner as House conferees on the First Conference Committee on SB17-258.

MESSAGE FROM THE REVISOR OF STATUTES

April 17, 2017

We herewith transmit:

Without comment, HB17-1031, 1265, and 1295.
Without comment, as amended, HB17-1077, 1216, 1225, 1228 1232, 1235, 1282, and 1299.
Without comment, as amended, SB17-083 and 187.
With comment, as amended, HB17-1287.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-035 by Senator(s) Donovan, Garcia, Hill, Kerr, Zenzinger; also Representative(s) Weissman--Concerning recognizing the importance of conquering scientific challenges from medicine to space and beyond.

Amendment No. 1(L.001), by Senator Donovan.

Amend printed joint resolution, page 1, strike lines 1 and 2 and substitute:

"WHEREAS, The United States Apollo program began in 1967; and".

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Senator Donovan, the resolution, as amended, was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Fenberg, Fields, Gardner, Grantham, Guzman, Holbert, Jahn, Jones, Kagan, Kefalas, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, and Todd.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

CONSIDERATION OF RESOLUTIONS (cont'd)

SJR17-036 by Senator(s) Zenzinger; also Representative(s) Buckner--Concerning designating April 2017 as "Autism Awareness Month".

Laid over until Friday, April 21, retaining its place on the calendar.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB17-286 by Senator(s) Holbert; also Representative(s) Ransom--Concerning the administration of the requirements necessary to allow a person to operate a motor vehicle on the highways of the state.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Court, Crowder, Donovan, Fields, Gardner, Grantham, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Moreno, Priola, Scott, Smallwood, Tate, Todd, and Zenzinger.

HB17-1213 by Representative(s) Van Winkle; also Senator(s) Holbert--Concerning the transfer of a vehicle title upon the death of the vehicle's owner.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Gardner, Grantham, Jahn, Marble, Martinez Humenik, Moreno, Neville T., Priola, Scott, Tate, and Todd.

HB17-1205 by Representative(s) Melton, Pabon; also Senator(s) Martinez Humenik--Concerning changing the definition of "salvage vehicle".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham, Tate, and Todd.

SB17-270 by Senator(s) Baumgardner; also Representative(s) Melton--Concerning an examination by the transportation legislation review committee of replacing standard license plates issued to motor vehicles.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Martinez Humenik, Priola, Scott, Tate, and Todd.

HB17-1172 by Representative(s) Carver and Navarro; also Senator(s) Cooke--Concerning criminal penalties for persons who commit human trafficking of a minor for sexual servitude.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Fenberg, Fields, Garcia, Gardner, Grantham, Holbert, Jahn, Jones, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Tate, Todd, and Zenzinger.

HB17-1238 by Representative(s) Lee, Foote, Herod, Willett, Wist; also Senator(s) Holbert, Cooke, Gardner, Guzman, Kagan--Concerning the nonsubstantive relocation of laws related to debt management and collection services from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Scott.

HB17-1239 by Representative(s) Wist, Foote, Herod, Lee, Willett; also Senator(s) Guzman, Cooke, Gardner, Holbert, Kagan--Concerning the nonsubstantive relocation of laws related to private occupational schools from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

HB17-1240 by Representative(s) Wist, Foote, Herod, Lee, Willett; also Senator(s) Cooke, Gardner, Guzman, Holbert, Kagan--Concerning the nonsubstantive relocation of the laws related to the department of public health and environment from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB17-1241 by Representative(s) Herod, Foote, Lee, Willett, Wist; also Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan--Concerning the nonsubstantive relocation of laws related to Indian arts and crafts sales from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Priola.

HB17-1243 by Representative(s) Willett, Foote, Herod, Lee, Wist; also Senator(s) Guzman, Cooke, Gardner, Holbert, Kagan--Concerning the nonsubstantive relocation of the laws related to wholesale sales representatives from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB17-1244 by Representative(s) Herod, Foote, Lee, Willett, Wist; also Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan--Concerning the nonsubstantive relocation of the laws related to cemeteries from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Coram.

HB17-1245 by Representative(s) Foote, Herod, Lee, Willett, Wist; also Senator(s) Kagan, Cooke, Gardner, Guzman, Holbert--Concerning the nonsubstantive relocation of the laws related to public establishments from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Garcia.

HB17-1280 by Representative(s) Michaelson Jenet and Young; also Senator(s) Gardner--Concerning conforming Colorado statutory language related to disability trusts to the federal "21st Century Cures Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Kefalas, Lambert, Martinez Humenik, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.

A majority of those elected to the Senate having voted in the affirmative, Senator Lundberg was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.011), by Senator Lundberg.

Amend engrossed bill, page 3, strike lines 3 through 6 and substitute:

"(52) "WITNESS AND VERIFY" MEANS TO DIRECTLY SEE AND HEAR, WITHOUT HINDRANCE, OBSTRUCTION, INTERFERENCE, OR DELAY, IN SUFFICIENT DETAIL TO BE ABLE TO CONFIRM OR ATTEST TO THE ACCURACY OF RECORDS INVOLVED IN THE ELECTION PROCESS AND THAT ACTIONS OF AN ELECTION OFFICIAL UNDERTAKEN IN CONNECTION WITH EACH STEP IN THE CONDUCT OF AN ELECTION COMPLY WITH APPLICABLE LAWS AND RULES.".

Page 3, after line 6 insert:

"**SECTION 2.** In Colorado Revised Statutes, **add** 1-7-104.5 as follows:

1-7-104.5. Watchers - general requirements - legislative declaration. (1) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT COLORADO'S ELECTIONS BE FULLY VERIFIABLE TO CITIZENS THROUGH THE WORK OF APPOINTED WATCHERS, CANVASS BOARDS, AND MEDIA OBSERVERS. PROVISIONS OF THIS CODE RELATED TO WATCHER RIGHTS SHOULD BE LIBERALLY CONSTRUED TO PERMIT THE MAXIMUM PRACTICAL TRANSPARENCY.

(2) POLITICAL PARTIES, CANDIDATES FOR NOMINATION ON THE BALLOT OF ANY POLITICAL PARTY, ISSUE COMMITTEES, CANDIDATES FOR OFFICE IN NONPARTISAN ELECTIONS, AND UNAFFILIATED CANDIDATES ARE ENTITLED TO THE APPOINTMENT OF WATCHERS, IN ACCORDANCE WITH SECTIONS 1-7-105 (1) AND (2), 1-7-106, AND 1-7-107, IN A NUMBER THAT SATISFIES THE RATIO OF AT LEAST ONE WATCHER FOR EVERY TWO ELECTION OFFICIALS IN THE FACILITY IN WHICH THE CONDUCT OF THE ELECTION OCCURS. IN THE EVENT THAT THE NUMBER OF WATCHERS PRESENT MAY NOT BE REASONABLY ACCOMMODATED, THE SECRETARY OF STATE SHALL REDUCE THE NUMBER OF ALLOWABLE WATCHERS BY LOT.".

Renumber succeeding sections accordingly.

Page 3, strike lines 10 through 12 and substitute "participating in a primary election ~~shall be~~ IS entitled to ~~have a watcher in each precinct in the county~~ APPOINT AT LEAST ONE WATCHER IN ACCORDANCE WITH THE RATIO SPECIFIED IN SECTION 1-7-104.5 (2). THE".

Page 4, strike lines 3 and 4 and substitute "~~person~~ WATCHERS to act on their behalf in every ~~precinct~~ COUNTY in which they are a candidate IN ACCORDANCE WITH THE RATIO SPECIFIED IN SECTION 1-7-104.5 (2). Each candidate shall certify the persons".

Page 4, strike lines 18 through 20 and substitute "~~at any one time in each voter service and polling center in the county and at each place where votes are counted in accordance with this article~~ IN ACCORDANCE WITH THE RATIO SPECIFIED IN SECTION 1-7-104.5 (2). IN THE CASE".

Page 5, strike lines 17 through 19 and substitute "issue, are each entitled to appoint ~~one person to act as a watcher~~ WATCHERS in every ~~polling place~~ COUNTY in which they are a candidate or in which the issue is on the ballot IN ACCORDANCE WITH THE RATIO SPECIFIED IN SECTION 1-7-104.5 (2). IN THE CASE OF PROPONENTS AND".

Page 6, strike lines 11 through 23 and substitute "~~opening of the polls~~ CERTIFICATION OF BALLOT CONTENT through the completion of the count and announcement of the FINAL CERTIFIED results, ~~to~~ challenge ineligible electors, and ~~to~~ assist in the correction of discrepancies.

(II) IF THE SECRETARY OF STATE RECEIVES A REPORT OF A POTENTIAL DISCREPANCY FROM A WATCHER OR THE APPOINTING AUTHORITY OF A WATCHER, THE SECRETARY SHALL TAKE APPROPRIATE ACTION IN RESPONSE TO THE REPORT IN A TIMELY MANNER AND SHALL CREATE A PERMANENT RECORD OF THE INCIDENT.".

Page 6, line 24, strike "PROCESS" and substitute "ACCURACY".

Page 7, strike lines 20 through 22 and substitute "UNTIL AFTER THE POLLS HAVE CLOSED.".

Page 7, strike lines 26 and 27 and substitute "ELECTION ACTIVITY AT WHICH ANY ELECTION OFFICIAL MAY LEGALLY BE PRESENT.".

Page 8, strike lines 23 through 27.

Page 9, strike lines 1 through 9.

Renumber succeeding section accordingly.

The amendment was **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	N
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	E
Donovan	Y	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

Laid over until Wednesday, April 19, retaining its place on the calendar.

HB17-1160 by Representative(s) Hamner and Wilson; also Senator(s) Priola and Fields--Concerning authorizing a local education provider to determine the language in which a student who is an English language learner takes reading assessments in kindergarten through third grade.

Laid over until Wednesday, April 19, retaining its place on the calendar.

HB17-1158 by Representative(s) McKean; also Senator(s) Smallwood and Martinez Humenik--Concerning the regulation of charitable solicitations by the secretary of state, and, in connection therewith, modifying and clarifying filing requirements and enforcement of the "Colorado Charitable Solicitations Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Priola.

HB17-1222 by Representative(s) Landgraf; also Senator(s) Gardner--Concerning a voluntary contribution designation benefiting the family caregiver support fund that appears on the state individual tax return forms.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	7	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Fields, Jones, Kefalas, Merrifield, and Todd.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-107 by Senator(s) Merrifield, Fenberg, Kerr, Todd, Zenzinger; also Representative(s) McLachlan--Concerning measures to reward public education entities that provide student access to arts education programs.

Laid over until Wednesday, April 19, retaining its place on the calendar.

SB17-278 by Senator(s) Coram; also Representative(s) Ginal--Concerning a prohibition against engaging in a nuisance exhibition of motor vehicle exhaust.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1003 by Representative(s) McLachlan; also Senator(s) Coram--Concerning a strategic action plan to address teacher shortages in Colorado.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 13, page 787 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Coram.

> Amend reengrossed bill, page 5, line 5, after "ADMINISTRATORS," insert "EARLY CHILDHOOD EDUCATION AND DEVELOPMENT ORGANIZATIONS,".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1200 by Representative(s) Wist and Gray, Lee; also Senator(s) Tate and Kefalas--Concerning modification of the laws regulating public benefit corporations, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1072 by Representative(s) Landgraf and Lawrence, Buck, Carver, Thurlow; also Senator(s) Cooke--Concerning human trafficking for sexual servitude.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 13, page 788 and placed in members' bill files.)

Amendment No. 2(L.011), by Senator Cooke.

> Amend the Judiciary Committee Report, dated April 12, 2017, page 1, line 6, strike "PROVE" and substitute "DEMONSTRATE BY A PREPONDERANCE OF THE EVIDENCE".

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB17-283 by Senator(s) Lundberg, Cooke, Hill, Lambert, Neville T., Sonnenberg; --Concerning a clarification of the distinction between discrimination and the fundamental right to disagree in the law regarding discrimination in places of public accommodation.

Lost on second reading.

SB17-082 by Senator(s) Lambert; also Representative(s) Lundeen--Concerning the regulation of methadone treatment facilities.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 13, page(s) 790-791 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1229 by Representative(s) Singer and Becker J., Ginal, Arndt, Liston, Lawrence; also Senator(s) Cooke and Todd--Concerning a clarification of when a worker may be compensated for a claim of mental impairment for a psychologically traumatic event under workers' compensation.

Ordered revised and placed on the calendar for third reading and final passage.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar (HB17-1269, HB17-1165, SB17-276, HB17-1214, SB17-216, SB17-269) of Tuesday, April 18, 2017, was laid over until Wednesday, April 19, 2017, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-278, SB17-082 as amended, HB17-1003 as amended, HB17-1200, HB17-1072 as amended, HB17-1229.
Lost on second reading: SB17-283.
Laid over until Wednesday, April 19: SB17-107, HB17-1269, HB17-1165, SB17-276, HB17-1214, SB17-216, SB17-269.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for reconsideration of HB17-1104.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the Senate Rule 18 (a) was suspended to allow for Reconsideration of HB17-1104, more than two days of actual session having occurred.

RECONSIDERATION OF HB17-1104

HB17-1104 by Representative(s) Navarro, Lundeen, Carver, Liston, Nordberg, Williams D.; also Senator(s) Priola, Gardner, Hill--Concerning the exclusion from state taxable income of the monetary value of any medal won by and certain sport-specific prize money awarded to an athlete while competing for the United States of America at the olympic games, so long as the athlete's federal adjusted gross income does not exceed a specified amount.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on **HB17-1104**.

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 titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1104 by Representative(s) Navarro, Lundeen, Carver, Liston, Nordberg, Williams D.; also Senator(s) Priola, Gardner, Hill--Concerning the exclusion from state taxable income of the monetary value of any medal won by and certain sport-specific prize money awarded to an athlete while competing for the United States of America at the olympic games, so long as the athlete's federal adjusted gross income does not exceed a specified amount.

A majority of those elected to the Senate having voted in the affirmative, Senator Priola was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.013), by Senator Priola.

> Amend revised bill, page 1, lines 102 and 103, strike "**AND CERTAIN SPORT-SPECIFIC PRIZE MONEY AWARDED TO**".

The amendment was **passed** on the following roll call vote:

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	E
Donovan	N	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	N	Williams A.	E
Donovan	Y	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of House Amendments to Senate Bills Calendar (SB17-259, SB17-254, SB17-083, SB17-187) of Tuesday, April 18, 2017, was laid over until Wednesday, April 19, 2017, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Conference Committee Reports Calendar (SB17-106) of Tuesday, April 18, 2017, was laid over until Wednesday, April 19, 2017, retaining its place on the calendar.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appro-priations

After consideration on the merits, the Committee recommends that **HB17-1045** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appro-priations

After consideration on the merits, the Committee recommends that **HB17-1088** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

MESSAGE FROM THE HOUSE

April 18, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1298.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1283, amended as printed in House Journal, April 17, 2018.
HB17-1080, amended as printed in House Journal, April 17, 2018.
HB17-1026, amended as printed in House Journal, April 17, 2018.
HB17-1293, amended as printed in House Journal, April 17, 2018.
HB17-1297, amended as printed in House Journal, April 17, 2018.

The House has passed on Third Reading and returns herewith SB17-153, 223, 224, 226, 227, 245.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-203, amended as printed in House Journal, April 17, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

April 18, 2017

We herewith transmit:

Without comment, HB17-1298.
Without comment, as amended, HB17-1026, 1080, 1283, 1293, and 1297.
Without comment, as amended, SB17-203.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, April 19, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

99th Legislative Day Wednesday, April 19, 2017

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community: A Mennonite Congregation, Littleton.

Call to Order — By the President *pro tempore* at 9:00 a.m.

Roll Call — Present--30
Absent--1, Martinez Humenik.
Excused--4, Aguilar, Grantham, Kagan, Williams.
Present later--4, Aguilar, Grantham, Kagan, Martinez Humenik.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Tuesday, April 18, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

REPORTS OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON SB17-258

****
THIS REPORT AMENDS THE
REENGROSSED BILL
****

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on SB17-258, concerning the use of open educational resources in public institutions of higher education, and, in connection therewith, making an appropriation, has met and reports that it has agreed upon the following:

That the House recede from its amendments made to the bill, as the amendments appear in the rerevised bill, and that the following amendments be substituted therefor:

Amend reengrossed bill, page 5, line 21, strike "AND".

Page 5, line 22, strike "EDUCATION;" and substitute "EDUCATION, REPRESENTATIVES OF CAMPUS BOOKSTORES, AND REPRESENTATIVES OF COMPANIES THAT PUBLISH TEXTBOOKS FOR POSTSECONDARY COURSES;".

Respectfully submitted,

Senate Committee:
(signed)
Kent Lambert, Chair
Kevin Lundberg
Dominick Moreno

House Committee:
(signed)
Dave Young, Chair
Bob Rankin
Millie Hamner

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB17-264

****
THIS REPORT ADOPTS THE
REREVISED BILL
****

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on SB17-264, concerning funding sources related to services for behavioral or mental health disorders, has met and reports that it has agreed upon the following:

That the Senate accede to the House amendments made to the bill and that the rerevised bill be adopted without change.

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Kent Lambert, Chair	Dave Young, Chair
Kevin Lundberg	Bob Rankin
Dominick Moreno	Millie Hamner

COMMITTEE OF REFERENCE REPORTS

Finance

The Committee on Finance 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 LOTTERY COMMISSION

for a term expiring July 1, 2019:

Kevin Scott Knierim of Englewood, Colorado, to serve as a representative of law enforcement and as a Republican, and occasioned by the resignation of James Howard Davis of Westminster, Colorado, appointed.

Finance

The Committee on Finance 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
PUBLIC EMPLOYEES' RETIREMENT BENEFIT PLANS

for a term expiring July 10, 2020:

Roger P. Johnson, CPA of Denver, Colorado, to serve as a representative with experience and competence in investment, management, finance, banking, economics, accounting, pension administration, or actuarial analysis, and as an Republican, and occasioned by the resignation of Benjamin H. Valore-Caplan of Denver, Colorado, appointed.

Finance

After consideration on the merits, the Committee recommends that **SB17-285** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Engrossed: SB17-082 and 278; SJR17-035.
Correctly Reengrossed: SB17-270 and 286.
Correctly Revised: HB17-1003, 1072, 1200, and 1229.
Correctly Rerevised: HB17-1104, 1158, 1172, 1205, 1213, 1222, 1238, 1239, 1240, 1241, 1243, 1244, 1245, and 1280.
Correctly Enrolled: SB17-153, 223, 234, 226, 227, and 245.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

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:

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.

Laid over until Friday, April 21, retaining its place on the calendar.

HB17-1160 by Representative(s) Hamner and Wilson; also Senator(s) Priola and Fields--Concerning authorizing a local education provider to determine the language in which a student who is an English language learner takes reading assessments in kindergarten through third grade.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fenberg, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Tate, Todd, and Zenzinger.

SB17-278 by Senator(s) Coram; also Representative(s) Ginal--Concerning a prohibition against engaging in a nuisance exhibition of motor vehicle exhaust.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fenberg, Fields, Garcia, Jones, Kagan, Kefalas, Kerr, Merrifield, Todd, and Zenzinger.

HB17-1003 by Representative(s) McLachlan; also Senator(s) Coram--Concerning a strategic action plan to address teacher shortages in Colorado.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Guzman, Jahn, Jones, Kefalas, Kerr, Merrifield, Moreno, Todd, and Zenzinger.

HB17-1200 by Representative(s) Wist and Gray, Lee; also Senator(s) Tate and Kefalas--Concerning modification of the laws regulating public benefit corporations, 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	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Fenberg, Hill, Jones, Kagan, Kerr, Merrifield, and Todd.

HB17-1072 by Representative(s) Landgraf and Lawrence, Buck, Carver, Thurlow; also Senator(s) Cooke--Concerning human trafficking for sexual servitude.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Court, Crowder, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Tate, Todd, and Zenzinger.

SB17-082 by Senator(s) Lambert; also Representative(s) Lundeen--Concerning the regulation of methadone treatment facilities.

Laid over until Thursday, April 20, retaining its place on the calendar.

HB17-1229 by Representative(s) Singer and Becker J., Ginal, Arndt, Liston, Lawrence; also Senator(s) Cooke and Todd--Concerning a clarification of when a worker may be compensated for a claim of mental impairment for a psychologically traumatic event under workers' compensation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Fields, Garcia, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Tate, and Zenzinger.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1253 by Representative(s) Danielson; also Senator(s) Crowder--Concerning the "Protection of Vulnerable Adults from Financial Exploitation Act".

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 17, page 804 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1267 by Representative(s) Arndt, Hooton, Nordberg, Thurlow; also Senator(s) Moreno, Kerr, Martinez Humenik, Tate--Concerning the scheduled repeal of reports by educational agencies to the general assembly.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1217 by Representative(s) Winter and Saine, Nordberg, Kraft-Tharp; also Senator(s) Donovan and Smallwood, Jahn--Concerning the governance structure of the state historical society.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1253 as amended, HB17-1267, HB17-1217.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-107 by Senator(s) Merrifield, Fenberg, Kerr, Todd, Zenzinger; also Representative(s) McLachlan--Concerning measures to reward public education entities that provide student access to arts education programs.

Laid over until Thursday, April 20, retaining its place on the calendar.

HB17-1269 by Representative(s) Danielson and Nordberg; also Senator(s) Martinez Humenik and Donovan--Concerning the repeal of the prohibition of an action against an employee for sharing wage information.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1165 by Representative(s) Lebsock; also Senator(s) Aguilar--Concerning the resolution of disciplinary actions by agencies within the department of regulatory agencies.

A majority of all members elected to the Senate having voted in the affirmative, the bill was referred to the Committee on Appropriations.

SB17-276 by Senator(s) Neville T.; also Representative(s) Neville P.--Concerning methods to alleviate the fiscal impact of state regulations on small businesses, and, in connection therewith, enacting the "Regulatory Relief Act of 2017".

Ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1214 by Representative(s) Coleman, Gray, Rosenthal, Arndt, Covarrubias, Melton; also Senator(s) Tate, Kerr, Williams A.--Concerning efforts to encourage employee ownership of the state's existing small businesses.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-216 by Senator(s) Gardner; also Representative(s) Becker K. and Lontine--Concerning continuation of the regulation of collection agencies under the "Colorado Fair Debt Collection Practices Act", and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 11, page(s) 736-737 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 13, page(s) 787-788 and placed in members' bill files.)

Amendment No. 3(L.011), by Senator Gardner.

Amend printed bill, page 3, line 7, after "**add**" insert "(6.5) and".

Page 3 of the bill, after line 15 insert:

"(6.5) "DEBT BUYER" MEANS A PERSON WHO ENGAGES IN THE BUSINESS OF PURCHASING DEBT FOR COLLECTION PURPOSES, WHETHER IT COLLECTS THE DEBT ITSELF, HIRES A THIRD PARTY FOR COLLECTION, OR HIRES AN ATTORNEY FOR LITIGATION IN ORDER TO COLLECT THE DEBT. DEBT BUYERS ARE COLLECTION AGENCIES FOR THE PURPOSES OF THIS ARTICLE 14.".

Page 4 of the bill, strike lines 22 through 27.

Page 5 of the bill, strike lines 1 through 21 and substitute:

"**SECTION 7.** In Colorado Revised Statutes, 12-14-124, **add** (12) as follows:

12-14-124. Bond. (12) A BOND SHALL NOT BE REQUIRED OF A DEBT BUYER AS LONG AS THE DEBT BUYER DOES NOT ALSO PROVIDE THIRD-PARTY DEBT COLLECTION.".

Renumber succeeding sections accordingly.

Amend the Judiciary Committee Report, dated April 10, 2017, page 2, line 31, after "(2)(b)" insert "AND (3)".

Page 4 of the report, line 2, strike "PARTIES."." and substitute "PARTIES.

(9) THIS SUBSECTION (9) AND SUBSECTIONS (6), (7), AND (8) OF THIS SECTION ARE REPEALED, EFFECTIVE JULY 1, 2020.".".

Page 4 of the report, line 14, strike "section 4 of this act takes" and substitute "sections 3, 4, and 7 of this act take".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-269 by Senator(s) Marble and Aguilar; also Representative(s) Winter and McKean--Concerning the exclusion of specified nonalcohol products from the calculation of the maximum amount of a retail liquor store's annual gross sales revenue that may be derived from the sale of nonalcohol products.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 13, page 791 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-250 by Senator(s) Marble and Neville T.; also Representative(s) Lebsock and Neville P., Ransom--Concerning the exemption of a student from the requirement of immunizations for attendance at school.

Amendment No. 1(L.003), by Senators Neville T. and Marble.

Amend printed bill, page 2, line 19, after the period add "THE HEALTH CARE PROVIDER SUBMITTING THE CERTIFICATION LETTER SHALL INCLUDE THE NAME OF THE STUDENT, THE STUDENT'S IDENTIFICATION NUMBER, THE NAME OF THE STUDENT'S PARENT OR GUARDIAN, THE DATE OF THE SUBMISSION OF THE CERTIFICATION LETTER, AND THE IMMUNIZATIONS FROM WHICH THE STUDENT IS EXEMPT.".

Page 3, line 5, after the period add "THE PERSON SUBMITTING THE CERTIFICATION LETTER SHALL INCLUDE THE NAME OF THE STUDENT, THE STUDENT'S IDENTIFICATION NUMBER, THE NAME OF THE STUDENT'S PARENT OR GUARDIAN, THE DATE OF THE SUBMISSION OF THE CERTIFICATION LETTER, AND THE IMMUNIZATIONS FROM WHICH THE STUDENT IS EXEMPT.".

As amended, **lost** on second reading.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-276, SB17-216 as amended, SB17-269 as amended, HB17-1269, HB17-1214.
Lost on second reading: SB17-250 as amended.
Laid over until Thursday, April 20: SB17-107.
Referred to the Committee on Appropriations: HB17-1165.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

MESSAGE FROM THE HOUSE

April 19, 0217

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1251, amended as printed in House Journal, April 18, 2017.
HB17-1290, amended as printed in House Journal, April 18, 2017.
HB17-1288, amended as printed in House Journal, April 18, 2017.

The House has passed on Third Reading and returns herewith SB17-247.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-105, amended as printed in House Journal, April 18, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

April 19, 2017

We herewith transmit:

Without comment, as amended, HB17-1251, 1288, and 1290.
Without comment, as amended, SB17-105.

CONSIDERATION OF RESOLUTIONS

SJR17-027 by Senator(s) Guzman and Tate; also Representative(s) Duran and Beckman--Concerning recognition of the need to expand access to effective treatment for stroke patients.

On motion of Senator Tate, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Todd, and Zenzinger.

CONSIDERATION OF MEMORIALS

SM17-002 by Senator(s) Hill and Garcia--Concerning memorializing Congress to hold the United States Department of Veterans Affairs accountable.

Laid over until Wednesday, April 26, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-259 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning a transfer of money from the general fund to cash funds administered by state departments for the protection of the state's natural resources.

Laid over until Friday, April 21, retaining its place on the calendar.

SB17-254 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.

Laid over until Friday, April 21, retaining its place on the calendar.

SB17-083 by Senator(s) Kagan, Scott; also Representative(s) Foote, Willett--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

Senator Kagan moved that the Senate concur in House amendments to **SB17-083**, as printed in House journal, April 13, page 892. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Gardner and Martinez Humenik.

SB17-187 by Senator(s) Crowder; also Representative(s) Ginal--Concerning the authority for an exemption to the residency requirement for education-related marijuana occupational licenses, and, in connection therewith, making an appropriation.

Senator Crowder moved that the Senate concur in House amendments to **SB17-187**, as printed in House journal, April 13, page(s) 897-898. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Holbert.

SB17-203 by Senator(s) Todd, Coram, Aguilar, Crowder, Kefalas; also Representative(s) Covarrubias and Kennedy--Concerning the prohibition against a carrier requiring a covered person to undergo step therapy, and, in connection therewith, requiring coverage for a prescribed medication that is part of the carrier's medication formulary.

Laid over until Thursday, April 20, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for terms expiring July 1, 2020:

Cassandra “Cassie” Gannett, PhD of Colorado Springs, Colorado, a resident of the Fifth Congressional District and an Unaffiliated, appointed;

Mary Beth Buescher of Grand Junction, Colorado, a resident of the Third Congressional District and a Democrat, appointed.

effective July 1, 2017 for terms expiring July 1, 2021:

Luis Alberto Colon of Lone Tree, Colorado, to serve as a resident of the Fourth Congressional District and as a Republican, reappointed;

Thomas Oliver McGimpsey of Louisville, Colorado, to serve as a resident of the Second Congressional District and as a Republican, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO EDUCATIONAL AND CULTURAL
FACILITIES AUTHORITY BOARD OF DIRECTORS

for terms expiring June 30, 2020:

Claudia Beth Crowell of Grand Junction, Colorado, a Democrat, reappointed;

Margaret Henry of Brighton, Colorado, a Republican, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
STATE HISTORICAL SOCIETY
BOARD OF DIRECTORS

for a term expiring July 1, 2019:

Alan Bruce Salazar of Thornton, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2019:

Ryan Zivorad Minic of Thornton, Colorado to serve as a representative of a private occupational school, and occasioned by the resignation of Richard Semakula of Centennial, Colorado, appointed.

for a term expiring July 1, 2020:

Robert Earl Martin of Wheat Ridge, Colorado to serve as a representative of a private occupational school, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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MEMBERS OF THE
COLORADO TRAUMATIC BRAIN INJURY TRUST FUND BOARD

for terms expiring June 30, 2019:

Brittany Matern of Denver, Colorado, appointed;

Catharine Howard Johnston-Brooks, PhD, ABPP of Broomfield, Colorado, reappointed;

Helen E. Morgan of Denver, Colorado, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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The Senate proceeded out of order for a moment of personal privilege.

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SENATE ADHERENCE ON SB17-106

SB17-106 by Senator(s) Aguilar and Coram, Kefalas; also Representative(s) Singer--Concerning the continuation of the regulation of naturopathic doctors by the director of the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the department's sunset review recommendations.

Senator Aguilar moved that the conference committee on **SB17-106** be dissolved, that the Senate conferees be discharged, and that the Senate adhere to its position. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB17-1035 by Representative(s) Jackson; also Senator(s) Cooke--Concerning allowing certain crime victims to break their rental agreements under certain circumstances.

Senator Cooke moved for the adoption of the first report of the first conference committee on **HB17-1035**, as printed in Senate journal, April 18, page 825. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

MESSAGE FROM THE GOVERNOR

April 18, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-036: CONCERNING THE APPELLATE PROCESS GOVERNING A DISTRICT COURT'S REVIEW OF FINAL AGENCY ACTIONS CONCERNING GROUNDWATER.

Approved April 18, 2017 at 2:59pm

SB17-068: CONCERNING EARLY SUPPORT FOR STUDENT SUCCESS THROUGH ACCESS TO SCHOOL COUNSELORS, AND, IN CONNECTION THEREWITH, SERVING ALL GRADES THROUGH THE BEHAVIORAL HEALTH CARE PROFESSIONAL MATCHING GRANT PROGRAM AND THE SCHOOL COUNSELOR CORPS GRANT PROGRAM.

Approved April 18, 2017 at 2:50pm

SB17-088: CONCERNING THE CRITERIA USED BY A HEALTH INSURER TO SELECT HEALTH CARE PROVIDERS TO PARTICIPATE IN THE INSURER'S NETWORK OF PROVIDERS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved April 18, 2017 at 2:41pm

SB17-112: CONCERNING A CLARIFICATION OF THE EFFECT OF STATUTES OF LIMITATIONS ON THE DISPUTE RESOLUTION PROCESS WHEN A TAXPAYER OWES SALES OR USE TAX TO ONE LOCAL GOVERNMENT BUT HAS ERRONEOUSLY PAID THE DISPUTED TAX TO ANOTHER LOCAL GOVERNMENT.

Approved April 18, 2017 at 3:10pm

SB17-115: CONCERNING POSSESSION OF SEXUALLY EXPLOITATIVE MATERIAL BY PERSONS INVOLVED IN SEXUALLY EXPLOITATIVE MATERIAL CASES.

Approved April 18, 2017 at 3:03pm

SB17-137: CONCERNING THE CONTINUATION OF THE COLORADO HEALTH SERVICE CORPS ADVISORY COUNCIL.

Approved April 18, 2017 at 2:55pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

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SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-051, 108, 189, 190, 241, and 246; SJM17-004; SJR17-012 and 031.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

April 19, 2017

Mr. President:

The House has adopted the First Report of the First Conference Committee on SB17-258, as printed in House Journal, April 18, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on SB17-264, as printed in House Journal, April 18, and has repassed the bill as so amended. The bill is returned herewith.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR17-038 by Senator(s) Tate; also Representative(s) Carver and Ginal--Concerning the designation of May 2017 as "Motorcycle Safety Awareness Month".

Laid over one day under Senate Rule 30(b).

SJR17-039 by Senator(s) Kerr and Crowder; also Representative(s) Lebsock and Carver--Concerning the recognition and remembrance of military veterans in Colorado who served in the Vietnam War and to commemorate the 50th anniversary of the Vietnam War.

Laid over one day under Senate Rule 30(b).

SJR17-040 by Senator(s) Martinez Humenik and Williams A., Moreno, Priola, Todd; also Representative(s) Michaelson Jenet and Sias, Buckner--Concerning the designation of October 13, 2017, as "Metastatic Breast Cancer Awareness Day".

Laid over one day under Senate Rule 30(b).

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB17-293 by Senator(s) Kagan, Cooke, Gardner, Guzman, Holbert; also Representative(s) Lee, Foote, Herod, Willett, Wist--Concerning updating the reference to a national standard setting forth certain specifications applicable to the type of paper used to publish the Colorado Revised Statutes.
State, Veterans, & Military Affairs

SB17-294 by Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan; also Representative(s) Lee, Foote, Herod, Willett, Wist--Concerning the nonsubstantive revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, imperfect, and inoperative law to preserve the legislative intent, effect, and meaning of the law.
Judiciary

SB17-295 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin-Concerning revisions to state agency reports concerning fraud in the medicaid program.
Appropriations

SB17-296 by Senator(s) Hill; also Representative(s) Pettersen--Concerning financing public schools.
Education

HB17-1026 by Representative(s) Singer; also Senator(s) Jones--Concerning the suspension of a borrower's obligation to repay a reverse mortgage when a force majeure renders the subject property uninhabitable as a principal residence, and, in connection therewith, directing the wildfire matters review committee to study this issue in 2017.
State, Veterans, & Military Affairs

HB17-1031 by Representative(s) Carver and Mitsch Bush; also Senator(s) Cooke and Todd--Concerning a requirement that the transportation legislation review committee conduct hearings throughout the state regarding state transportation commission districts.
Transportation

HB17-1077 by Representative(s) Valdez; also Senator(s) Coram--Concerning the useful public service cash fund.
Judiciary

HB17-1080 by Representative(s) Young; also Senator(s) Crowder--Concerning affidavit requirements for durable medical equipment suppliers, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB17-1216 by Representative(s) Kraft-Tharp and Sias; also Senator(s) Neville T. and Jahn--Concerning the creation of the sales and use tax simplification task force, and, in connection therewith, making an appropriation.
Finance

HB17-1225 by Representative(s) Hansen, Becker J., Esgar, Ginal, Kennedy, McLachlan, Michaelson Jenet, Willett, Winter; also Senator(s) Baumgardner--Concerning a transportation legislation review committee hearing on the effects that a retail electric service provider's participation in a regional transmission organization would have in Colorado.
Transportation

HB17-1228 by Representative(s) Pabon and Landgraf; also Senator(s) Priola--Concerning licensing exemptions related to pet animal facilities, including those utilizing technology in their business models.
Business, Labor, & Technology

HB17-1232 by Representative(s) Danielson; also Senator(s) Priola--Concerning public utilities providing infrastructure to serve alternative fuel motor vehicles, and, in connection therewith, establishing a process at the Colorado public utilities commission whereby a public utility may undertake implementation of an alternative fuel motor vehicle infrastructure program within the area covered by the utility's certificate of public convenience and necessity.
State, Veterans, & Military Affairs

HB17-1235 by Representative(s) Mitsch Bush and Hamner; also Senator(s) Coram and Crowder, Donovan--Concerning a financial relief program to provide financial assistance to individuals earning a household income of not more than five hundred percent of the federal poverty line of which they spend more than fifteen percent on health insurance premiums for individual health insurance purchased through the Colorado health benefit exchange, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB17-1236 by Representative(s) Kennedy, Ginal, Covarrubias, Danielson, Hamner, Lee, McLachlan, Pettersen, Rankin, Valdez, Weissman; also Senator(s) Coram and Smallwood, Jahn, Jones, Kefalas--Concerning preparation by the department of health care policy and financing of health care provider expenditure reports.
State, Veterans, & Military Affairs

HB17-1250 by Representative(s) Lebsock; also Senator(s) Coram and Donovan--Concerning the voluntary contribution designation that benefits wildlife, and, in connection therewith, changing the nongame and endangered wildlife tax check-off to the Colorado nongame conservation and wildlife restoration tax check-off, providing for the allocation of moneys received through the check-off, creating a grant program that uses moneys contributed through the check-off to finance wildlife rehabilitation efforts, and making an appropriation.
Finance

HB17-1251 by Representative(s) Nordberg, Arndt, Hooton, Thurlow; also Senator(s) Moreno, Kerr, Martinez Humenik, Tate--Concerning the scheduled repeal of reports by higher education agencies to the general assembly.
Education

HB17-1261 by Representative(s) Bridges and Becker K.; also Senator(s) Zenzinger--Concerning disclaimer requirements applicable to large electioneering communications.
State, Veterans, & Military Affairs

HB17-1262 by Representative(s) Bridges and Becker K.; also Senator(s) Zenzinger--Concerning the expanded disclosure of electioneering communications to include the period between the primary election and the general election.
State, Veterans, & Military Affairs

HB17-1265 by Representative(s) Becker K. and Nordberg; also Senator(s) Priola and Kerr, Court, Gardner--Concerning an increase in the total employer contribution for employers in the judicial division of the public employees' retirement association.
Finance

HB17-1271 by Representative(s) Pettersen; also Senator(s) Priola--Concerning waivers granted to school districts of innovation.
Education

HB17-1273 by Representative(s) Hansen and McKean; also Senator(s) Coram and Jones--Concerning a requirement that an applicant for a real estate development permit demonstrate water conservation measures that will be implemented in the development.
State, Veterans, & Military Affairs

HB17-1282 by Representative(s) Ginal; also Senator(s) Sonnenberg, Kefalas--Concerning the creation of a veterinary education loan repayment program to assist veterinarians with education loan repayments in exchange for providing veterinary services in rural areas of the state in need of veterinary services.
Agriculture, Natural Resources, & Energy

HB17-1283 by Representative(s) Singer and Nordberg, Beckman, Covarrubias, Esgar, Herod, Kraft-Tharp, Landgraf, Lawrence, Liston, Lundeen, Michaelson Jenet, Navarro, Pabon, Rankin, Thurlow, Van Winkle, Williams D., Wist, Young; also Senator(s) Garcia and Cooke, Court, Aguilar, Fenberg, Jahn, Kefalas, Kerr, Martinez Humenik, Priola, Todd--Concerning the creation of a task force to examine workforce resiliency in the child welfare system.
Local Government

HB17-1287 by Representative(s) Hamner and Rankin, Buckner, Garnett, Lundeen, Pettersen, Wilson; also Senator(s) Priola and Kerr--Concerning achieving a vision for education in Colorado, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB17-1288 by Representative(s) Saine and Foote, Becker K., Benavidez, Carver, Gray, Lundeen, Willett, Wist, Young; also Senator(s) Cooke and Court--Concerning the penalties for DUI offenders who commit their fourth and subsequent DUI offenses.
Judiciary

HB17-1290 by Representative(s) Pettersen and Buckner; also Senator(s) Donovan and Todd--Concerning the creation of the Colorado secure savings plan.
State, Veterans, & Military Affairs

HB17-1295 by Representative(s) Rankin, Hamner, Young; also Senator(s) Moreno, Lambert, Lundberg-Concerning the repeal of the governor's office of marijuana coordination.
Appropriations

HB17-1297 by Representative(s) Gray; also Senator(s) Gardner--Concerning meetings for which a special district director may be compensated for attending.
Local Government

HB17-1298 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lundberg, Lambert, Moreno-Concerning the date by which the state personnel director is required to submit the annual compensation report.
Appropriations

HB17-1299 by Representative(s) Hansen and Coleman; also Senator(s) Donovan and Fenberg--Concerning a transportation legislation review committee hearing on the integration of energy storage into the electric resource planning process for public utilities.
State, Veterans, & Military Affairs

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

June 20, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBERS OF THE
BOARD OF ASSESSMENT APPEALS

for terms expiring July 1, 2017:

Sondra Winterhof Mercier of Westminster, Colorado, reappointed;

MaryKay Kelley of Silverthorne, Colorado, reappointed;

Ann Louesa Maricle of Denver, Colorado reappointed;

Gregg Allan Near of Lakewood, Colorado, reappointed;

Amy J. Williams, MAI of Hayden, Colorado, a member engaged in agriculture, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/13/2016
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

February 17, 2017

To the Honorable
Colorado Senate
Colorado General Assembly

State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint, and submit to your consideration, the following:

MEMBERS OF THE
MINED LAND RECLAMATION BOARD

effective March 1, 2017 for terms expiring March 1, 2021:

Forrest Von Luke of Craig, Colorado, an individual with substantial experience in the mining industry, reappointed;

Jill Heeringa Van Noord of Boulder, Colorado, an individual with substantial experience in conservation, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/22/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

March 10, 2017

To the Honorable Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBER OF THE
COLORADO ENERGY RESEARCH AUTHORITY

for a term expiring July 1, 2019:

Kathleen Booth Staks of Lakewood, Colorado, and occasioned by the resignation of Jeffrey Paul Ackermann of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/16/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

March 2, 2017

To the Honorable
Colorado Senate

Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBERS OF THE
COLORADO WILDLIFE HABITAT STAMP COMMITTEE

for terms expiring December 31, 2020:

John Douglas Wellman of Hamilton, Colorado, a landowner actively engaged in agriculture, appointed;

John H. Thatcher of Pueblo, Colorado, a landowner actively engaged in agriculture, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/7/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

December 9, 2016

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBERS OF THE
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for terms expiring December 13, 2019:

Sarah Hayes of Lafayette, Colorado, representing executives with good risk management experience in the insurance industry, and as Democrat, reappointed;

Edward Dean Davis of Centennial, Colorado, representing employers with good risk management experience with respect to their workers' compensation insurance, and as a Democrat, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/24/2017
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-139, 152, 179, 214, 255, 257, 260, and 261.

CORRECTION OF BILL ASSIGNMENT

The President announced that **SB17-290**, which was originally introduced on Monday, April 17 and assigned to the Committee on Agriculture, Natural Resources, & Energy, will instead be assigned to the Committee on Transportation.

TRIBUTES

Honoring:

Denver Zoo -- By Senator Angela Williams and Representative Leslie Herod.
Evergreen High School Lady Cougars Basketball Team -- By Senator Tim Neville and Representative Tim Leonard.
Polly Dyer, Community Food Share -- By Senator Matt Jones.
Longmont Safety and Justice Center -- By Senator Matt Jones.
Robin Canup, Associate Vice President of the Space Science and Engineering Division at Southwest Research Institute -- By Senator Steve Fenberg.
Bob Wichmann -- By Senator Kerry Donovan.
Kip Drawbridge -- By Senator Kerry Donovan.
Centaurus High School -- By Senator Matt Jones.

On motion of Assistant Majority Leader Scott, the Senate adjourned until 9:00 a.m., Thursday, April 20, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

100th Legislative Day Thursday, April 20, 2017

Prayer — By the chaplain, Archbishop Samuel Aquila, Archdiocese of Denver.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--32
Excused--3, Guzman, Jones, Williams.
Present later--2, Guzman, Jones.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Wednesday, April 19, 2017, 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 **SB17-289** 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 15, strike "OR".

Page 2, after line 15 insert:

"(C) ASSAULT, AS DESCRIBED IN SECTION 18-3-202, 18-3-203, OR 18-3-204; OR".

Reletter succeeding sub-subparagraph accordingly.

Page 3, line 27, strike "CORRECTIONS." and substitute "CORRECTIONS AND SHALL INDICATE ON SUCH MITTIMUS WHETHER THE REMAINING JUVENILE SENTENCE SHALL BE SERVED CONSECUTIVELY OR CONCURRENTLY.".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1255** 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 **SJM17-007** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SCR17-001** be referred to the Committee of the Whole with favorable recommendation.

Education — After consideration on the merits, the Committee recommends that **HB17-1176** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 7, line 26, strike "2028." and substitute "2023.".

Education — After consideration on the merits, the Committee recommends that **HB17-1082** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education — After consideration on the merits, the Committee recommends that **HB17-1294** 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 — The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
STATE ELECTRICAL BOARD

for terms expiring July 1, 2019:

David Roderick Olson of Niwot, Colorado, a member of the public at large, reappointed;

Michael Allen Miller of Aurora, Colorado, to serve as an electrical contractor who has a master's license, reappointed.

Business, Labor, & Technology — The Committee on Business, Labor, & Technology 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
SPECIAL FUNDS BOARD FOR
WORKERS' COMPENSATION SELF INSURERS

for a term expiring July 1, 2020:

Gary Lee Swenson of Castle Rock, Colorado, to serve as a manager or employee of self-insured employers in good standing, appointed.

Business, Labor, & Technology — The Committee on Business, Labor, & Technology 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
SECURITIES BOARD

for a term expiring July 1, 2019:

Curtis J. Winar, CPA/CFF, CVA of Centennial, Colorado, to serve as a certified public accountant, appointed.

Business, Labor, & Technology — The Committee on Business, Labor, & Technology 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 STATE PLUMBING BOARD

for a term expiring July 1, 2020:

Anthony John Shaffer of Florence, Colorado, a plumbing contractor engaged in the construction of residential or commercial buildings, reappointed.

SENATE SERVICES REPORT

Correctly Printed: SB17-293, 294, 295, and 296; SJR17-038, 039, and 040.
Correctly Engrossed: SB17-216, 269, and 276; SJR17-027.
Correctly Reengrossed: SB17-278.
Correctly Revised: HB17-1214, 1217, 1253, 1267, and 1269.
Correctly Rerevised: HB17-1003, 1072, 1160, 1200, and 1229.
Correctly Enrolled: SB17-083, 187, and 247; SJM17-004; SJR17-012.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

Upon request of Majority Leader Holbert, **HB17-1253** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Thursday, April 20, 2017, and was placed at the end of the Third Reading of Bills Final Passage Calendar of Thursday, April 20, 2017.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1267 by Representative(s) Arndt, Hooton, Nordberg, Thurlow; also Senator(s) Moreno, Kerr, Martinez Humenik, Tate--Concerning the scheduled repeal of reports by educational agencies to the general assembly.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields, Grantham, Holbert, Kefalas, and Todd.

HB17-1217 by Representative(s) Winter and Saine, Nordberg, Kraft-Tharp; also Senator(s) Donovan and Smallwood, Jahn--Concerning the governance structure of the state historical society.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Fenberg, Grantham, Holbert, Kerr, Marble, Martinez Humenik, Merrifield, Scott, and Tate.

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:

SB17-082 by Senator(s) Lambert; also Representative(s) Lundeen--Concerning the regulation of methadone treatment facilities.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	2	EXCUSED	3	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Grantham, and Hill.

SB17-276 by Senator(s) Neville T.; also Representative(s) Neville P.--Concerning methods to alleviate the fiscal impact of state regulations on small businesses, and, in connection therewith, enacting the "Regulatory Relief Act of 2017".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	12	EXCUSED	2	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	E
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Hill, Holbert, Jahn, Lambert, Lundberg, Marble, Martinez Humenik, Priola, Scott, Smallwood, Sonnenberg, and Tate.

HB17-1214 by Representative(s) Coleman, Gray, Rosenthal, Arndt, Covarrubias, Melton; also Senator(s) Tate, Kerr, Williams A.--Concerning efforts to encourage employee ownership of the state's existing small businesses.

Laid over until Friday, April 21, retaining its place on the calendar.

SB17-216 by Senator(s) Gardner; also Representative(s) Becker K. and Lontine--Concerning continuation of the regulation of collection agencies under the "Colorado Fair Debt Collection Practices Act", and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Fenberg, Kagan, Martinez Humenik, Merrifield, Tate, and Todd.

SB17-269 by Senator(s) Marble and Aguilar; also Representative(s) Winter and McKean--Concerning the exclusion of specified nonalcohol products from the calculation of the maximum amount of a retail liquor store's annual gross sales revenue that may be derived from the sale of nonalcohol products.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Gardner, Grantham, Hill, Holbert, Kagan, Kefalas, Martinez Humenik, Moreno, Neville T., Priola, Scott, and Sonnenberg.

HB17-1253 by Representative(s) Danielson; also Senator(s) Crowder--Concerning the "Protection of Vulnerable Adults from Financial Exploitation Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	7	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fenberg, Fields, Garcia, Guzman, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Todd, and Zenzinger.

HB17-1269 by Representative(s) Danielson and Nordberg; also Senator(s) Martinez Humenik and Donovan--Concerning the repeal of the prohibition of an action against an employee for sharing wage information.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fenberg, Fields, Garcia, Guzman, Jones, Kefalas, Kerr, Merrifield, Moreno, and Todd.

Committee of the Whole

On motion of Senator Kerr, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Kerr was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1263 by Representative(s) McKean and Hansen; also Senator(s) Gardner--Concerning an authorization for the commissioner of insurance to issue a license that allows a limited lines producer to sell limited lines self-storage insurance.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 18, page 826 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB17-274 by Senator(s) Holbert; also Representative(s) Garnett--Concerning an authorization for nonadmitted insurers to offer disability insurance as a type of surplus lines insurance.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1045 by Representative(s) Young; also Senator(s) Lambert--Concerning the home care allowance grant program, and, in connection therewith, making and reducing appropriations.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 13, page 790 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1088 by Representative(s) Neville P.; also Senator(s) Neville T.--Concerning signature verification for candidate petitions filed with the secretary of state.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Kerr, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-274, HB17-1263 as amended, HB17-1045 as amended, HB17-1088.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB17-107) of Thursday, April 20, 2017, was laid over until Friday, April 21, 2017, retaining its place on the calendar.

CONSIDERATION OF RESOLUTIONS

SJR17-038 by Senator(s) Tate; also Representative(s) Carver and Ginal--Concerning the designation of May 2017 as "Motorcycle Safety Awareness Month".

Laid over until Wednesday, April 26, retaining its place on the calendar.

SJR17-039 by Senator(s) Kerr and Crowder; also Representative(s) Lebsock and Carver--Concerning the recognition and remembrance of military veterans in Colorado who served in the Vietnam War and to commemorate the 50th anniversary of the Vietnam War.

Laid over until Monday, May 1, retaining its place on the calendar.

SJR17-040 by Senator(s) Martinez Humenik and Williams A., Moreno, Priola, Todd; also Representative(s) Michaelson Jenet and Sias, Buckner--Concerning the designation of October 13, 2017, as "Metastatic Breast Cancer Awareness Day".

Laid over until Monday, May 1, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of House Amendments to Senate Bills Calendar (SB17-203, SB17-105) of Thursday, April 20, 2017, was laid over until Friday, April 21, 2017, retaining its place on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB17-258 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning the use of open educational resources in public institutions of higher education, and, in connection therewith, making an appropriation.

Senator Lundberg moved for the adoption of the first report of the first conference committee on **SB17-258**, as printed in Senate journal, April 19, page 841. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-264 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Young, Hamner, Rankin--Concerning funding sources related to services for behavioral or mental health disorders.

Senator Moreno moved for the adoption of the first report of the first conference committee on **SB17-264**, as printed in Senate journal, April 19, page 842. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations

After consideration on the merits, the Committee recommends that **SB17-253** 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 4 through 9 and substitute:

"(A) To maintain and operate warehouses, ~~and~~ one PERMANENT sales room, ~~in this state to handle malt liquors to be denominated a wholesale beer store~~ AND, AT ANY GIVEN TIME, UP TO TWO ADDITIONAL TEMPORARY SALES ROOM LOCATIONS THAT MAY OPERATE FOR NOT MORE THAN THREE CONSECUTIVE DAYS TO HANDLE MALT LIQUORS. THE AUTHORITY TO OPERATE THE SALES ROOMS DOES NOT ENTAIL ANY ADDITIONAL COST AND MAY BE INCLUDED IN THE LICENSE WHEN THE ORIGINAL LICENSE IS ISSUED OR BY SUPPLEMENTAL APPLICATION.".

Page 4, after line 5, insert:

"**SECTION 3. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state money is necessary to carry out the purposes of this act.".

Renumber succeeding sections accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **SB17-287** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB17-273** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, after line 12 insert:

"**SECTION 2. Appropriation - adjustments to 2017 long bill.** To implement this act, appropriations made in the annual general appropriation act for the 2017-18 state fiscal year to the department of health care policy and financing are adjusted as follows:

(1) The general fund appropriation for medical services premiums, which is subject to the "(M)" notation as defined in the annual general appropriation act for the same fiscal year, is increased by $891,955.

(2) The cash funds appropriation for medical services premiums is decreased by $921,040, which consists of $891,955 from the health care expansion fund created in section 24-22-117 (2)(a)(I), C.R.S., and $29,085 from the tobacco tax cash fund created in section 24-22-117 (1)(a), C.R.S.

(3) The cash funds appropriation from the tobacco tax cash fund

created in section 24-22-117 (1)(a), C.R.S., for use by the indigent care program for appropriation from tobacco tax cash fund to the general fund is decreased by $5,817.

(4) The cash funds appropriation from the primary care fund created in section 24-22-117 (2)(b)(I), C.R.S., for use by the indigent care program for primary care fund program is decreased by $368,416.

(5) The general fund exempt appropriation from general fund exempt pursuant to 24-22-117 (1)(c)(I)(B), C.R.S., for use by the indigent care program for children's basic health plan medical and dental costs is decreased by $5,817. This amount is not subject to the statutory limitation on general fund appropriations imposed by section 24-75-201.1, C.R.S.

SECTION 3. Appropriation - adjustments to 2017 long bill. To implement this act, appropriations made in the annual general appropriation act for the 2017-18 state fiscal year to the department of public health and environment are adjusted as follows:

(1) The general fund exempt appropriation from general fund exempt pursuant to section 21 (5)(e) of article X of the state constitution, for use by the disease control and environmental epidemiology division for immunization operating expenses is decreased by $5,817. This amount is not subject to the statutory limitation on general fund appropriations pursuant to section 21 (8) of article X of the state constitution.

(2) The cash funds appropriation from the tobacco tax cash fund created in section 24-22-117 (1)(a), C.R.S., for use by the disease control and environmental epidemiology division for appropriation from the tobacco tax cash fund to the general fund is decreased by $5,817.

(3) The cash funds appropriation from the prevention, early detection, and treatment fund created in section 24-22-117 (2)(d)(I), C.R.S., for use by the prevention services division is decreased as follows:

(a) $46,537 for transfer to the health disparities grant program fund;

(b) $62,049 for breast and cervical cancer screening;

(c) $201,659 for cancer, cardiovascular disease, and chronic pulmonary disease grants;

(4) The cash funds appropriation from the tobacco education programs fund created in section 24-22-117 (2)(c)(I), C.R.S., for use by the prevention services division for tobacco education, prevention, and cessation grants is decreased by $310,245.

(5) The reappropriated funds appropriation for use by the office of health equity for health disparities grants is decreased by $46,537. This amount is from the appropriation to the prevention services division for a transfer to the office of health equity, which appropriation is reduced in subsection (3)(a) of this section.

SECTION 4. Appropriation - adjustments to 2017 long bill. To implement this act, the cash funds appropriations made in the annual general appropriation act for the 2017-18 state fiscal year to the department of revenue for use by the taxation business group for amendment 35 distribution to local governments is decreased by $17,451. This amount is from the tobacco tax cash fund created in section 24-22-117 (1)(a) C.R.S.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**TAX.**" and substitute "**TAX, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.**".

Appropriations

After consideration on the merits, the Committee recommends that **HB17-1165** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, after line 20 insert:

"**SECTION 3. Appropriation.** (1) For the 2017-18 state fiscal year, $20,000 is appropriated to the department of regulatory agencies. This appropriation is from the division of professions and occupations

cash fund created in section 24-34-105 (2)(b)(I), C.R.S. To implement this act, the department may use this appropriation for the purchase of information technology services.

(2) For the 2017-18 state fiscal year, $20,000 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from reappropriated funds received from the department of regulatory agencies under subsection (1) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of regulatory agencies.".

Renumber succeeding sections accordingly.

Page 1, line 103, strike "**AGENCIES.**" and substitute "**AGENCIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **HB17-1057** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1207** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 4, strike line 11, and substitute "(3)(a)(III) introductory portion, (3)(a)(IV) introductory portion, and (6); and **add** (3)(a)(IV.5) as".

Page 5, line 6, after the period add "A PREADJUDICATION SERVICE PROGRAM CREATED PURSUANT TO SECTION 19-2-302 SHALL EVALUATE A JUVENILE DESCRIBED IN THIS SUBSECTION (2)(b). THE EVALUATION MAY RESULT IN THE JUVENILE:

(I) REMAINING IN THE CUSTODY OF A PARENT, GUARDIAN, OR LEGAL CUSTODIAN; OR

(II) BEING PLACED IN THE TEMPORARY LEGAL CUSTODY OF KIN, FOR PURPOSES OF A KINSHIP FOSTER CARE HOME OR NONCERTIFIED KINSHIP CARE PLACEMENT, AS DEFINED IN SECTION 19-1-103 (71.3), OR OTHER SUITABLE PERSON UNDER SUCH CONDITIONS AS THE COURT MAY IMPOSE; OR

(III) BEING PLACED IN A SHELTER FACILITY; OR

(IV) BEING REFERRED TO THE A LOCAL COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES FOR ASSESSMENT FOR PLACEMENT IN A FOSTER CARE HOME, AS DEFINED IN SECTION 19-1-103 (51.5).".

Page 5, line 21, strike "At" and substitute "EXCEPT AS PROVIDED IN SUBSECTION (3)(a)(IV.5) OF THIS SECTION, at".

Page 5, after line 24 insert:

"(IV.5) A PREADJUDICATION SERVICE PROGRAM CREATED PURSUANT TO SECTION 19-2-302 SHALL EVALUATE A JUVENILE DESCRIBED IN SUBSECTION (2)(b) OF THIS SECTION. THE EVALUATION MAY RESULT IN THE JUVENILE:

(A) REMAINING IN THE CUSTODY OF A PARENT, GUARDIAN, OR LEGAL CUSTODIAN; OR

(B) BEING PLACED IN THE TEMPORARY LEGAL CUSTODY OF KIN, FOR PURPOSES OF A KINSHIP FOSTER CARE HOME OR NONCERTIFIED KINSHIP CARE PLACEMENT, AS DEFINED IN SECTION 19-1-103 (71.3), OR OTHER SUITABLE PERSON UNDER SUCH CONDITIONS AS THE COURT MAY IMPOSE; OR

(C) BEING PLACED IN A SHELTER FACILITY; OR

(D) BEING REFERRED TO A LOCAL COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES FOR ASSESSMENT FOR PLACEMENT.

(6) EXCEPT FOR A JUVENILE DESCRIBED IN SUBSECTION (2)(b) OF THIS SECTION, the court may also issue temporary orders for legal custody as provided in section 19-1-115.".

Page 5, line 25, strike "(1)" and substitute "(1); and **add** (3)".

Page 6, after line 15 insert:

"(3) A JUVENILE WHO IS LESS THAN THIRTEEN YEARS OF AGE MAY NOT BE SENTENCED TO DETENTION UNLESS HE OR SHE HAS BEEN ADJUDICATED FOR A FELONY OR WEAPONS CHARGE PURSUANT TO SECTION 18-12-102, 18-12-105, 18-12-106, OR 18-12-108.5. AS AN ALTERNATIVE, THE JUVENILE PROBATION DEPARTMENT MAY CONDUCT A PRESENTENCE INVESTIGATION PURSUANT TO SECTION 19-2-905. THE INVESTIGATION MAY RESULT IN THE JUVENILE:

(a) REMAINING IN THE CUSTODY OF A PARENT, GUARDIAN, OR LEGAL CUSTODIAN; OR

(b) BEING PLACED IN THE TEMPORARY LEGAL CUSTODY OF KIN, FOR PURPOSES OF A KINSHIP FOSTER CARE HOME OR NONCERTIFIED KINSHIP CARE PLACEMENT, AS DEFINED IN SECTION 19-1-103 (71.3), OR OTHER SUITABLE PERSON UNDER SUCH CONDITIONS AS THE COURT MAY IMPOSE; OR

(c) BEING PLACED IN A SHELTER FACILITY; OR

(d) BEING REFERRED TO A LOCAL COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES FOR ASSESSMENT FOR PLACEMENT IN A FOSTER CARE HOME, AS DEFINED IN SECTION 19-1-103 (51.5).".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1246** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 8, strike "THE NCDR ACTION".

Page 2, strike lines 9 and 10 and substitute "A NATIONAL REGISTRY DESIGNED FOR HEART ATTACK DATA.".

Page 3, strike lines 3 through 6.

Renumber succeeding subsections accordingly.

Page 4, line 9, after "ORGANIZATION" insert "OR ANY NATIONALLY RECOGNIZED ACCREDITING BODY".

Page 5, strike line 9 and substitute "ANY NATIONALLY RECOGNIZED BODY WHOSE REPORTS ARE PROVIDED TO THE DEPARTMENT PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION TO".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1304** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

April 20, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1132, amended as printed in House Journal, April 19, 2017.
HB17-1316, amended as printed in House Journal, April 19, 2017.

The House has passed on Third Reading and returns herewith SB17-225.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB17-184, amended as printed in House Journal, April 19, 2017.

Senate in recess. Senate reconvened.

MESSAGE FROM THE REVISOR OF STATUTES

April 20, 2017

We herewith transmit:

Without comment, as amended, HB17-1132 and 1316.
Without comment, as amended, SB17-184.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-213, 233, 234, 263, 265, and 266; HB17-1049, 1115, 1120, 1189, 1215, and 1218; HJR17-1021, 1022, and 1024.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, April 20, 2017, at 11:42 a.m.:
SB17-108, 139, 152, 179, 189, 190, 241, 255, 257, and 260.

On motion of Senator Lambert, the Senate adjourned until 9:00 a.m., Friday, April 21, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

101st Legislative Day Friday, April 21, 2017

Prayer — By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Williams.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Thursday, April 20, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

MEMORANDUM
REPORT FROM THE SENATE AND HOUSE COMMITTEES ON DELAYED BILLS

Pursuant to Joint Rule 23 (c), the Senate and House Committees on Delayed Bills, acting jointly, extend the following deadline for SB17-296, Concerning Financing Public Schools:

The Friday, April 21 deadline (the 101st legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, is extended until Wednesday, May 10, 2017 (the 120th legislative day).

This memorandum shall be printed in the journal of each house as is required by Joint Rule 23 (c).

(signed)
Senator Grantham
President of the Senate

(signed)
Representative Duran
Speaker of the House of Representatives

(signed)
Senator Holbert
Senate Majority Leader

(signed)
Representative Becker, K.
House Majority Leader

(signed)
Senator Guzman
Senate Minority Leader

(signed)
Representative Neville, P.
House Minority Leader

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB17-271** 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, strike everything below the enacting clause and substitute:

SECTION 1. In Colorado Revised Statutes, **add** 40-5-101.5 as follows:

40-5-101.5. Investor-owned utilities' service extension policies - commission review - rules. (1) WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE COMMISSION SHALL OPEN A NONADJUDICATORY PROCEEDING TO EVALUATE INVESTOR-OWNED UTILITIES' CURRENT SERVICE EXTENSION POLICIES FOR SERVING NEW LOAD APPLICATIONS; EXCEPT THAT GAS-ONLY, INVESTOR-OWNED UTILITIES ARE NOT SUBJECT TO THE COMMISSION'S NONADJUDICATORY PROCEEDING. BASED ON THE COMMISSION'S EVALUATION, THE COMMISSION SHALL ISSUE A DECISION CONTAINING RECOMMENDATIONS TO INVESTOR-OWNED UTILITIES FOR POTENTIAL IMPLEMENTATION.

(2) IN THE COMMISSION'S NONADJUDICATORY PROCEEDING, THE COMMISSION SHALL CONSIDER, WITHOUT LIMITATION, THE FOLLOWING INFORMATION FROM INVESTOR-OWNED UTILITIES:

(a) THE UTILITIES' GENERAL LOAD EXTENSION PROCEDURES USED BY THE UTILITY AND REQUESTING CUSTOMERS, INCLUDING:

(I) THE USE OF CONSTRUCTION AGREEMENTS, REVENUE ASSURANCE AGREEMENTS, ASSIGNMENT OF ESTIMATED COSTS, PREDEVELOPMENT SYSTEM INVESTMENT PROTOCOLS, AND OPTIONS FOR COST AND SCHEDULE TRANSPARENCY; AND

(II) POTENTIAL SYSTEM AUTOMATION BENEFITS TO ENHANCE CLARITY OF THE REQUIREMENTS AND PROCESS;

(b) EQUITABLE ALLOCATION OF COSTS ASSOCIATED WITH AN EXTENSION OF FACILITIES AND ANY OTHER FACTORS AFFECTING THE COST OF AN EXTENSION OF FACILITIES; AND

(c) VARIABLES THAT AFFECT TIME LINES FOR CONSTRUCTION AND IMPLEMENTATION OF AN EXTENSION OF FACILITIES.

(3) WITHIN NINETY DAYS AFTER THE CONCLUSION OF THE NONADJUDICATORY PROCEEDING, THE COMMISSION MAY PROMULGATE RULES CONSISTENT WITH THE FINDINGS OF THE NONADJUDICATORY PROCEEDING.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Education

After consideration on the merits, the Committee recommends that **HB17-1004** 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 4, line 3, strike "ACCEPT" and substitute "BEGINNING JUNE 1, 2018, ACCEPT".

Page 4, line 6, strike "DESIGNATION." and substitute "DESIGNATION, UNLESS THE COLORADO COMMISSION ON HIGHER EDUCATION ADOPTS A NEW POLICY PRIOR TO JUNE 1, 2018, CONCERNING THE TRANSFER OF PRIOR LEARNING ASSESSMENT CREDIT FOR COURSES WITH GUARANTEED-TRANSFER DESIGNATION.".

Education

The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
CHARTER SCHOOL INSTITUTE BOARD

for a term expiring July 1, 2018:

Antonio Patrick Pares of Denver, Colorado, to serve as a member with experience as a charter school board member or founder of a charter school, experience as a public school administrator with experience working with charter schools, other board or public service experience, and as a Democrat, and occasioned by the resignation of Kurtis Matthew Indorf of Denver, Colorado, appointed;

for terms expiring July 1, 2019:

Thomas Brinegar of Lafayette, Colorado, to serve as a member with other board or public service experience, and an Unaffiliated, appointed;

Yee-Ann Cho of Denver, Colorado, to serve as a member who has experience as a public school teacher, and as a Democrat, appointed.

Education

After consideration on the merits, the Committee recommends that **SB17-291** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, strike lines 2 through 7 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 24-33.5-1804, **amend** (6)(a) as follows:

24-33.5-1804. School safety resource center advisory board - created - repeal. (6) (a) This section is repealed, effective ~~July 1, 2017~~ JULY 1, 2022.".

Page 2, lines 8 and 9, strike "**repeal** (4)(a)(VIII)" and substitute "**amend** (13)(a) introductory portion; **repeal** (4)(a)(VIII); and **add** (13)(a)(IV)".

Page 2, after line 15 insert:

"(13) (a) The ~~following dates are the dates on which the~~ statutory authorization for the FOLLOWING designated advisory committees is scheduled for repeal September 1, 2022:

(IV) THE SCHOOL SAFETY RESOURCE CENTER ADVISORY BOARD CREATED IN SECTION 24-33.5-1804.".

Health & Human Services

The Committee on Health & Human Services 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 CHILDREN'S TRUST FUND BOARD

for a term expiring November 7, 2019:

Jennifer N. Kelloff, MD of Arvada, Colorado, to serve as a member with knowledge of child abuse prevention, reappointed.

Health & Human Services

The Committee on Health & Human Services 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 HEALTH FACILITIES AUTHORITY BOARD OF DIRECTORS

for a term expiring June 30, 2020:

Kathryn S. Kanda of Denver, Colorado, a Democrat, reappointed.

Health & Human Services

The Committee on Health & Human Services 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
HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD

for a term expiring May 15, 2017:

Shepard J. Nevel of Denver, Colorado, a consumer of health care who is not a representative or an employee of a hospital, health insurance carrier, or other health care industry entity, and occasioned by the resignation of Mirna Ramirez-Castro of Thornton, Colorado, appointed.

Health & Human Services

The Committee on Health & Human Services 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
HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD

for a term expiring May 15, 2019:

Peggy Jordan Burnette of Denver, Colorado, an employee of a hospital in Colorado, reappointed.

Health & Human Services

The Committee on Health & Human Services 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
STATE BOARD OF HUMAN SERVICES

for a term expiring March 1, 2019:

Julie Ann Holligan Westendorff of Durango, Colorado, to serve as a county commissioner, and occasioned by the resignation of the Honorable David Allen Foy of Otis, Colorado, appointed.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
SOLID AND HAZARDOUS WASTE COMMISSION

for terms expiring August 1, 2019:

Teresa Ann Coons, PhD of Denver, Colorado, to serve as a member of the public and as a Democrat, appointed;

Elizabeth J. O'Connell, PhD of Aspen, to serve as a representative of the academic community and as a Democrat, appointed;

Stephen Wendell Gillette of Berthoud, Colorado, to serve as a representative of local government, and as a Republican, appointed.

Health & Human Services

The Committee on Health & Human Services 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
MEDICAL SERVICES BOARD

for a term expiring July 1, 2020:

An Thi H. Nguyen of Denver, Colorado, to serve as a resident of the First Congressional District, a Democrat, with knowledge of medical assistance programs, appointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COAL MINE BOARD OF EXAMINERS

for a term expiring July 1, 2019:

Richard Clair Chermak of Hotchkiss, Colorado, to serve as a coal miner of known experience and practice in underground coal mining residing in the State of Colorado and actively engaged in the coal mining industry during the term of office, reappointed;

for a term expiring July 1, 2020

John Carral Poulos, P.E. of Paonia, Colorado, to serve as a Colorado mine owner, operator, manager or other mine official actively engaged in the underground coal mining industry during the term of office, reappointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy 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
STATE BOARD OF LAND COMMISSIONERS

for a term expiring June 30, 2017:

John Michael Shaw of Denver, Colorado, to serve as a citizen at large and an Unaffiliated, and occasioned by the resignation of Buck Blessing of Denver, Colorado, appointed.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB17-1190** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 6, strike "(a)".

Page 2, strike lines 10 and 11 and substitute "RIGHTS FOR WHICH A DECREE WAS ENTERED AS OF JULY 15, 2015. RIGHTS WHICH WOULD".

Page 2, line 14, strike "(20)(a)" and substitute "(20)".

Page 2, strike lines 15 through 19 and substitute "EFFECT. SUCH RIGHTS MAY BE MAINTAINED THROUGH FINDINGS OF REASONABLE DILIGENCE AND MADE ABSOLUTE, AND AUGMENTATION PLANS RELATED TO SUCH RIGHTS MAY BE APPROVED, IN".

Strike page 3 and substitute:

"**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the

ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

SENATE SERVICES REPORT

Correctly Engrossed: SB17-274.
Correctly Reengrossed: SB17-082, 216, 269, and 276.
Correctly Revised: HB17-1045, 1088, and 1263.
Correctly Rerevised: HB17-1217, 1253, 1267, and 1269.
Correctly Enrolled: SB17-225, 258, and 264.

MESSAGE FROM THE HOUSE

April 20, 2017

Mr. President:

The House has postponed indefinitely SB17-004, 181, 182, 191. The bills are returned herewith.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

HJR17-1018 by Representative(s) Willett; also Senator(s) Scott--Concerning the designation of a portion of state highway 340 as the "Tour of the Moon Byway".

Laid over until Tuesday, May 2, retaining its place on the calendar.

SJR17-036 by Senator(s) Zenzinger; also Representative(s) Buckner--Concerning designating April 2017 as "Autism Awareness Month".

On motion of Senator Zenzinger, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1263 by Representative(s) McKean and Hansen; also Senator(s) Gardner--Concerning an authorization for the commissioner of insurance to issue a license that allows a limited lines producer to sell limited lines self-storage insurance.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham, Holbert, and Tate.

SB17-274 by Senator(s) Holbert; also Representative(s) Garnett--Concerning an authorization for nonadmitted insurers to offer disability insurance as a type of surplus lines insurance.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Grantham, Scott, and Tate.

HB17-1045 by Representative(s) Young; also Senator(s) Lambert--Concerning the home care allowance grant program, and, in connection therewith, making and reducing appropriations.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Grantham, Kefalas, Martinez Humenik, Moreno, Tate, Todd, and Zenzinger.

HB17-1088 by Representative(s) Neville P.; also Senator(s) Neville T.--Concerning signature verification for candidate petitions filed with the secretary of state.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Grantham, Kefalas, Lambert, Lundberg, Marble, Martinez Humenik, Moreno, Priola, Scott, Smallwood, and Tate.

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:

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.

Laid over until Monday, April 24, retaining its place on the calendar.

HB17-1214 by Representative(s) Coleman, Gray, Rosenthal, Arndt, Covarrubias, Melton; also Senator(s) Tate, Kerr, Williams A.--Concerning efforts to encourage employee ownership of the state's existing small businesses.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Fields, Jones, Kefalas, Merrifield, Moreno, and Todd.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (HB17-1123, SB17-107) of Friday, April 21, 2017, was laid over until Monday, April 24, 2017, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-259 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young-Concerning a transfer of money from the general fund to cash funds administered by state departments for the protection of the state's natural resources.

Senator Lundberg moved that the Senate concur in House amendments to **SB17-259**, as printed in House journal, April 6, page 793. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Court, Kagan, Kerr, Todd, and Zenzinger.

SB17-254 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.

Laid over until Monday, April 24, retaining its place on the calendar.

SB17-203 by Senator(s) Todd, Coram, Aguilar, Crowder, Kefalas; also Representative(s) Covarrubias and Kennedy--Concerning the prohibition against a carrier requiring a covered person to undergo step therapy, and, in connection therewith, requiring coverage for a prescribed medication that is part of the carrier's medication formulary.

Laid over until Monday, April 24, retaining its place on the calendar.

SB17-105 by Senator(s) Garcia, Cooke, Fenberg, Jones; also Representative(s) Becker K. and Esgar, Hooton--Concerning consumers' right to know their electric utility charges by requiring investor-owned electric utilities to provide their customers with a comprehensive breakdown of cost on their monthly bills.

Senator Garcia moved that the Senate concur in House amendments to **SB17-105**, as printed in House journal, April 18, page 947, and April 19, page(s) 964-965. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-184 by Senator(s) Gardner; also Representative(s) Pabon--Concerning measures to define lawful consumption of marijuana.

Senator Gardner moved that the Senate not concur in House amendments to **SB17-184**, as printed in House journal, April 13, page 897, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senators Gardner, Chair, Cooke, and Jahn were appointed as Senate conferees on the first conference committee on **SB17-184**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB17-184 by Senator(s) Gardner; also Representative(s) Pabon--Concerning measures to define lawful consumption of marijuana.

Senator Gardner moved that the Senate conferees on the first conference committee on **SB17-184** be granted permission to go beyond the scope of the differences between the two houses.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, 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:

Kevin Scott Knierim of Englewood, Colorado, to serve as a representative of law enforcement and as a Republican, and occasioned by the resignation of James Howard Davis of Westminster, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
PUBLIC EMPLOYEES' RETIREMENT BENEFIT PLANS

for a term expiring July 10, 2020:

Roger P. Johnson, CPA of Denver, Colorado, to serve as a representative with experience and competence in investment, management, finance, banking, economics, accounting, pension administration, or actuarial analysis, and as an Republican, and occasioned by the resignation of Benjamin H. Valore-Caplan of Denver, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB17-1255 and HB17-1294 were made Special Orders -- Consent Calendar at 9:43 a.m.

Committee of the Whole

The hour of 9:43 a.m. having arrived, Senator Tate 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 Tate 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:

HB17-1255 by Representative(s) Nordberg, Arndt, Hooton, Thurlow; also Senator(s) Kerr, Martinez Humenik, Moreno, Tate--Concerning the scheduled repeal of a report by the board of veterans affairs to the general assembly.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1294 by Representative(s) Weissman; also Senator(s) Todd--Concerning counting a high school student who participates in the accelerating students through concurrent enrollment program in the enrolling education entity's high school graduation rate in the school year in which the student completes the high school graduation requirements.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1255, HB17-1294.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the appointments to the State Electrical Board, the Special Funds Board for Workers' Compensation Self Insurers, the Securities Board, and the State Plumbing Board, were made a Consideration of Governor's Appointments -- Special Orders -- Consent Calendar at 9:46 a.m.

The hour of 9:46 a.m. having arrived, the Senate proceeded to the Consideration of Governor's Appointments -- Special Orders -- Consent Calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
STATE ELECTRICAL BOARD

for terms expiring July 1, 2019:

David Roderick Olson of Niwot, Colorado, a member of the public at large, reappointed;

Michael Allen Miller of Aurora, Colorado, to serve as an electrical contractor who has a master's license, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
SPECIAL FUNDS BOARD FOR
WORKERS' COMPENSATION SELF INSURERS

for a term expiring July 1, 2020:

Gary Lee Swenson of Castle Rock, Colorado, to serve as a manager or employee of self-insured employers in good standing, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
SECURITIES BOARD

for a term expiring July 1, 2019:

Curtis J. Winar, CPA/CFF, CVA of Centennial, Colorado, to serve as a certified public accountant, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF
THE STATE PLUMBING BOARD

for a term expiring July 1, 2020:

Anthony John Shaffer of Florence, Colorado, a plumbing contractor engaged in the construction of residential or commercial buildings, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MESSAGE FROM THE HOUSE

April 21, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1023 as printed in House Journal, April 21, 2017.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR17-1023 by Representative(s) Foote; also Senator(s) Jones--Concerning the designation of a portion of Highway 66 as the "Trooper Taylor Thyfault Memorial Highway".

On motion of Senator Jones, the resolution was read at length and **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	E	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, and Zenzinger.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

April 21, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1025, amended as printed in House Journal, April 21, 2017.

The House has voted to concur in the Senate amendments to HBs17-1201, 1003, 1072, 1160 and has repassed the bills as so amended.

The House has adopted the First Report of the First Conference Committee on HB17-1035 as printed in House Journal, April 19, 2017, and has repassed the bill as amended.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1289, 1328.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1301, amended as printed in House Journal, April 20, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-017, amended as printed in House Journal, April 20, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

April 21, 2017

We herewith transmit:

Without comment, HB17-1289 and 1328.
Without comment, as amended, HB17-1301.
Without comment, as amended, SB17-017.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR17-041 by Senator(s) Holbert, Grantham, Guzman; also Representative(s) Becker K., Duran, Neville P.--Concerning the convening date for the 2018 Second Regular Session of the Seventy-first General Assembly.

Laid over until Wednesday, May 3, retaining its place on the calendar.

HJR17-1025 by Representative(s) Williams D. and Salazar, Coleman, Covarrubias, Humphrey, Lebsock, Neville P.; also Senator(s) Hill and Moreno--Concerning the request that Governor Hickenlooper exercise his authority to grant clemency to Rene Lima-Marin.

Laid over until Thursday, May 4, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB17-297 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin-Concerning revising higher education performance requirements.
Appropriations

SB17-298 by Senator(s) Tate; also Representative(s) Kraft-Tharp--Concerning the relationship between a motor vehicle manufacturer and the motor vehicle dealers that have franchise agreements with the manufacturer.
Business, Labor, & Technology

HB17-1087 by Representative(s) Young; also Senator(s) Lundberg--Concerning an office of public guardianship.
Judiciary

HB17-1132 by Representative(s) Lundeen; also Senator(s) Gardner--Concerning judicial disqualification in civil actions.
Judiciary

HB17-1231 by Representative(s) Arndt and Lawrence; also Senator(s) Tate and Smallwood--Concerning a reorganization of statutes governing the authority of the commissioner of insurance to examine companies engaged in the business of insurance in this state.
State, Veterans, & Military Affairs

HB17-1289 by Representative(s) Valdez and Hansen; also Senator(s) Coram and Crowder--Concerning a requirement that the state engineer promulgate rules that establish an optional streamlined approach to calculate the historical consumptive use of a water right.
Agriculture, Natural Resources, & Energy

HB17-1301 by Representative(s) Michaelson Jenet, Exum; also Senator(s) Holbert and Fields--Concerning protecting a student's access to school records necessary for enrollment in another educational institution despite outstanding payments due to the school.
Education

HB17-1316 by Representative(s) Lontine; also Senator(s) Marble--Concerning delaying the implementation of House Bill 16-1309.
Judiciary

HB17-1328 by Representative(s) Hooton and Hansen, Arndt, Becker K., Coleman, Danielson, Exum, Herod, Jackson, Kennedy, Lontine, Melton, Michaelson Jenet, Pettersen, Rosenthal, Salazar, Singer, Winter; also Senator(s) Jones and Kerr, Aguilar, Court, Donovan, Fenberg, Fields, Guzman, Kagan, Kefalas, Merrifield, Moreno, Todd, Williams A.--Concerning a requirement that candidates for certain federal executive offices file income tax returns with the secretary of state.
State, Veterans, & Military Affairs

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

April 14, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE
ADVISORY COMMITTEE ON
GOVERNMENTAL ACCOUNTING

effective May 18, 2017 for terms expiring May 18, 2021:

Gina Marie Lanier of Aurora, Colorado, a finance officer representing school and junior college districts, appointed;

Alta Joanne Gosselink of Brush, Colorado, a finance officer representing city and town government, reappointed;

Neil Andrew Copland of Parker, Colorado, a finance officer representing county government, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/18/2017
Effie Ameen, Secretary of the Senate

Committee on Finance

April 7, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE
STATE HOUSING BOARD

for terms expiring January 31, 2021:

Erik Estrada of Louisville, Colorado, a Democrat and resident of the Second Congressional District, appointed;

Jacalyn Reynolds of Sterling, Colorado, a Democrat and resident of the Fourth Congressional District, reappointed;

Chad E. Wright of Colorado Springs, Colorado, a Democrat and resident of the Fifth Congressional District, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/11/2017
Effie Ameen, Secretary of the Senate

Committee on Local Government

April 7, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit for your consideration, the following:

MEMBER OF THE
TRANSPORTATION COMMISSION

for a term expiring July 1, 2017:

Karen Dona Stuart of Broomfield, Colorado, to serve as a commissioner from the Fourth Transportation District, and occasioned by the resignation of Heather M. Barry of Westminster, Colorado, appointed;

for a term expiring July 1, 2021:

Karen Dona Stuart of Broomfield, Colorado, to serve as a commissioner from the Fourth Transportation District, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/11/2017
Effie Ameen, Secretary of the Senate

Committee on Transportation

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, April 24, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

104th Legislative Day Monday, April 24, 2017

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--34
Excused--1, Aguilar.
Present later--1, Aguilar.

Quorum — The President announced a quorum present.

Pledge — By Senator Donovan.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Friday, April 21, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB17-297 and 298; SJR17-041.
Correctly Engrossed: SJR17-036.
Correctly Reengrossed: SB17-274.
Correctly Revised: HB17-1255 and 1294; HJR17-1023.
Correctly Rerevised: HB17-1045, 1088, 1214, and 1263.
Correctly Enrolled: SB17-105 and 259; SJR17-031.

MESSAGE FROM THE HOUSE

April 21, 2017

Mr. President:

The House has postponed indefinitely SB17-156. The bill is returned herewith.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1255 by Representative(s) Nordberg, Arndt, Hooton, Thurlow; also Senator(s) Kerr, Martinez Humenik, Moreno, Tate--Concerning the scheduled repeal of a report by the board of veterans affairs to the general assembly.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder and Todd.

HB17-1294 by Representative(s) Weissman; also Senator(s) Todd--Concerning counting a high school student who participates in the accelerating students through concurrent enrollment program in the enrolling education entity's high school graduation rate in the school year in which the student completes the high school graduation 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Donovan, Fields, Gardner, Hill, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Sonnenberg, Williams A., and Zenzinger.

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:

SB17-071 by Senator(s) Tate; --Concerning reductions in early voting period requirements for voter service and polling centers used in general elections, and, in connection therewith, adjusting requirements and reallocating resources as a result of savings from those reductions.

A majority of those elected to the Senate having voted in the affirmative, the bill was laid over until Thursday, May 11.

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.

Laid over until Tuesday, April 25, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-003 by Senator(s) Smallwood; also Representative(s) Neville P.--Concerning the repeal of the "Colorado Health Benefit Exchange Act".

Laid over until Monday, May 1, retaining its place on the calendar.

SB17-188 by Senator(s) Marble, Baumgardner, Cooke, Holbert, Lundberg, Neville T., Sonnenberg; --Concerning the repeal of income tax credits for innovative motor vehicles for purchases and leases entered into on or after January 1, 2018.

Laid over until Thursday, May 11.

HB17-1123 by Representative(s) Lebsock and Thurlow, Neville P., Humphrey, Melton, Singer, Leonard; also Senator(s) Marble, Holbert--Concerning the ability of a local government to extend the hours during which alcohol beverages may be sold for consumption on a licensed premises.

Laid over until Thursday, May 11.

SB17-281 by Senator(s) Neville T. and Marble, Cooke, Baumgardner, Holbert, Lambert, Lundberg, Scott, Smallwood, Sonnenberg; also Representative(s) Williams D. and Covarrubias, Beckman, Humphrey, Leonard, Lewis, Lundeen, Navarro, Neville P., Nordberg, Ransom, Saine, Sias, Van Winkle--Concerning holding Colorado government accountable for creating sanctuary jurisdiction policies.

Amendment No. 1(L.002), by Senators Neville T. and Marble.

Amend printed bill, page 9, line 11, strike "JANUARY" and substitute "JULY".

Page 9, line 12, strike "JANUARY" and substitute "JULY".

Page 9, line 24, strike "APRIL" and substitute "SEPTEMBER".

Page 9, line 25, strike "APRIL" and substitute "SEPTEMBER".

Page 10, line 9, after "CONTRARY," insert "COMMENCING WITH THE 2018-19 FISCAL YEAR, AND EACH FISCAL YEAR THEREAFTER,".

Page 14, strike lines 16 through 18 and substitute:

"**SECTION 6. Effective date - applicability.** This act takes effect January 1, 2018, and applies to acts or omissions occurring on or after said date.".

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.)

SB17-107 by Senator(s) Merrifield, Fenberg, Kerr, Todd, Zenzinger; also Representative(s) McLachlan--Concerning measures to reward public education entities that provide student access to arts education programs.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 754 and placed in members' bill files.)

As amended, **lost** on second reading.

(For further action, see amendments to the report of the Committee of the Whole.)

Majority Leader Holbert moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 11:40 a.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

MESSAGE FROM THE HOUSE

April 24, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1028, as printed in House journal, April 24, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1332, 1337, 1310, 1252.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1292, amended as printed in House Journal, April 21, 2017.
HB17-1330, amended as printed in House Journal, April 21, 2017.
HB17-1260, amended as printed in House Journal, April 21, 2017.
HB17-1279, amended as printed in House Journal, April 21, 2017.
HB17-1305, amended as printed in House Journal, April 21, 2017.
HB17-1291, amended as printed in House Journal, April 21, 2017.
HB17-1300, amended as printed in House Journal, April 21, 2017.

The House has passed on Third Reading and returns herewith SB17-117, 268, 027.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB17-215, amended as printed in House Journal, April 21, 2017.
SB17-244, amended as printed in House Journal, April 21, 2017.
SB17-132, amended as printed in House Journal, April 21, 2017.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR17-1028 by Representative(s) Saine and Danielson; also Senator(s) Marble--Concerning honoring Gold Star Families.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

HJR17-1028 by Representative(s) Saine and Danielson; also Senator(s) Marble--Concerning honoring Gold Star Families.

On motion of Senator Marble, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

Committee of the Whole reconvened.

GENERAL ORDERS -- SECOND READING OF BILLS (cont'd)

SB17-289 by Senator(s) Gardner; also Representative(s) Lawrence--Concerning allowing the department of human services to transfer custody of certain adult offenders from the division of youth corrections upon a court order.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 20, page 863 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SCR17-001 by Senator(s) Merrifield and Marble, Donovan, Fenberg, Kagan, Kerr, Moreno, Tate; also Representative(s) Melton, Coleman, Lebsock, Salazar, Singer--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning a reduction in the age qualification for a member of the general assembly from twenty-five years to twenty-one years.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1176 by Representative(s) Becker J. and McLachlan; also Senator(s) Sonnenberg--Concerning an extension of the employment after retirement limitations for retirees of the public employees' retirement association employed by a rural school district after retirement.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 20, page 863 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB17-253 by Senator(s) Marble and Guzman, Aguilar, Baumgardner, Cooke, Donovan, Fenberg, Fields, Hill, Holbert, Kefalas, Kerr, Lundberg, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Sonnenberg, Williams A., Zenzinger; also Representative(s) Garnett and McKean, Becker J., Becker K., Beckman, Bridges, Buckner, Covarrubias, Danielson, Ginal, Hansen, Herod, Hooton, Kennedy, Kraft-Tharp, Lawrence, Lebsock, Lontine, Mitsch Bush, Neville P., Nordberg, Pettersen, Ransom, Saine, Singer, Thurlow, Van Winkle, Willett, Winter, Wist--Concerning increasing the authority for certain providers of alcohol beverages to provide beverages to customers from approved sales rooms.

Laid over until Wednesday, April 26, retaining its place on the calendar.

SB17-287 by Senator(s) Priola; also Representative(s) Garnett--Concerning an income tax credit for charitable contributions to an eligible endowment fund.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 17, page 803 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-273 by Senator(s) Hill and Williams A.; --Concerning the manufacturer's list price of tobacco products for purposes of the state excise tax.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 20, page(s) 871-872 and placed in members' bill files.)

As amended, laid over until Thursday, May 11.

HB17-1165 by Representative(s) Lebsock; also Senator(s) Aguilar--Concerning the resolution of disciplinary actions by agencies within the department of regulatory agencies.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 13, page 791 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 20, page(s) 872-873 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1057 by Representative(s) Winter and Liston; also Senator(s) Kerr and Gardner--Concerning the adoption of an interstate compact to allow persons authorized to practice physical therapy in a state to obtain the privilege to practice physical therapy in other member states, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 17, page 803 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1246 by Representative(s) Kraft-Tharp; also Senator(s) Tate and Garcia--Concerning implementation of the STEMI task force recommendations relating to reporting confirmed heart attack incidents in the state.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 20, page 874 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1304 by Representative(s) Singer and Ransom; also Senator(s) Smallwood and Kefalas--Concerning allowing the adoption of a child under the jurisdiction of a court in Colorado who is not present in Colorado.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1082 by Representative(s) Pabon; also Senator(s) Tate--Concerning clarification that financial assistance under the "Building Excellent Schools Today Act" includes technology grants.

Amendment No. 1(L.006), by Senator Tate.

Amend reengrossed bill, page 3, after line 11 insert:

"**SECTION 3.** In Colorado Revised Statutes, 22-43.7-108, **amend** (2)(a)(V) and (2)(a)(VI); and **add** (2)(a)(VII) as follows:

22-43.7-108. Statewide financial assistance priority assessment - public school facilities. (2) (a) The financial assistance priority assessment shall assess public school facility capital construction projects based on:

(V) Site requirements for the public school facility; ~~and~~

(VI) Public school facility demographics, including a five-year projection concerning anticipated substantial changes in the pupil count of individual public school facilities; AND

(VII) ANNUALIZED UTILITY COSTS, INCLUDING ELECTRICITY, NATURAL GAS, PROPANE, WATER, SEWER, WASTE REMOVAL, TELECOMMUNICATIONS, INTERNET, OR OTHER MONTHLY BILLED UTILITY SERVICES.".

Renumber succeeding sections accordingly.

Page 3, line 12, after "**amend**" insert "(4)(f), (4)(g), and".

Page 3, line 13, after "**add**" insert "(4)(g.5) and".

Page 3, line 16, strike "(5) The" and substitute: "(4) Applications for financial assistance submitted to the board shall be in a form prescribed by the board and shall include:

(f) A statement regarding the means by which the applicant intends to provide matching ~~moneys~~ MONEY required for the projects, including but not limited to means such as voter-approved multiple-fiscal year debt or other financial obligations, UTILITY COST SAVINGS ASSOCIATED WITH ANY UTILITY COSTS-SAVINGS CONTRACT, AS DEFINED IN SECTION 24-30-2001 (6), gifts, grants, donations, a loan obtained pursuant to section 22-43.7-110.5, or any other means of financing permitted by law, or the intent of the applicant to seek a waiver of the matching ~~moneys~~ MONEY requirement pursuant to subsection (10) of this section. If an applicant that is a school district or a board of cooperative services with a participating school district intends to raise matching ~~moneys~~ MONEY by obtaining voter approval to enter into a sublease-purchase agreement that constitutes an indebtedness of the district as authorized by section 22-32-127, it shall indicate whether it has received the required voter approval or, if the election has not already been held, the anticipated date of the election.

(g) A description of any efforts by the applicant to coordinate capital construction projects with local governmental entities or community-based or other organizations that provide facilities or services that benefit the community in order to more efficiently or effectively provide such facilities or services, including but not limited to a description of any financial commitment received from any such entity or organization that will allow better leveraging of any financial assistance awarded; ~~and~~

(g.5) IF DEEMED RELEVANT BY THE APPLICANT, A STATEMENT OF THE APPLICANT'S ANNUALIZED UTILITY COSTS, INCLUDING ELECTRICITY, NATURAL GAS, PROPANE, WATER, SEWER, WASTE REMOVAL, TELECOMMUNICATIONS, INTERNET, OR OTHER MONTHLY BILLED UTILITY SERVICES, AND THE AMOUNT OF ANY REDUCTION IN SUCH COSTS EXPECTED TO RESULT IF THE APPLICANT RECEIVES FINANCIAL ASSISTANCE; AND

(5) The".

As amended, ordered revised and placed on the calendar for third reading and final passage.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB17-281 by Senator(s) Neville T. and Marble, Cooke, Baumgardner, Holbert, Lambert, Lundberg, Scott, Smallwood, Sonnenberg; also Representative(s) Williams D. and Covarrubias, Beckman, Humphrey, Leonard, Lewis, Lundeen, Navarro, Neville P., Nordberg, Ransom, Saine, Sias, Van Winkle--Concerning holding Colorado government accountable for creating sanctuary jurisdiction policies.

Senator Fields moved to amend the Report of the Committee of the Whole to show that the following Fields floor amendment, (L.006) to SB17-281, did pass.

Amend printed bill, page 8, line 18, strike "ALIEN" and substitute "UNDOCUMENTED IMMIGRANT".

Page 10, line 16, strike "**alien**".

Page 10, line 27, strike "ALIEN".

Page 11, line 1, after "RELEASES" insert "OF UNDOCUMENTED IMMIGRANTS".

Page 11, line 7, strike "(1.7), (5.8), and (5.9)" and substitute "(5.8), (5.9), and (8)".

Page 11, strike lines 10 through 12.

Page 13, after line 9, insert:

"(8) "UNDOCUMENTED IMMIGRANT" MEANS AN INDIVIDUAL WHO IS NOT LAWFULLY PRESENT WITHIN THE UNITED STATES, AS DETERMINED BY FEDERAL IMMIGRATION LAW OR BY A FEDERAL IMMIGRATION AGENCY.".

Strike "ALIENS" and substitute "UNDOCUMENTED IMMIGRANTS" on: **Page 10,** lines 24 and 25.

Strike "ILLEGAL ALIEN" and substitute "UNDOCUMENTED IMMIGRANT" on: **Page 11,** line 14; **Page 12,** line 2; and **Page 13,** lines 8 and 9 and 18.

Strike "ILLEGAL ALIEN," and substitute "UNDOCUMENTED IMMIGRANT," on: **Page 12,** line 1; and **Page 13,** line 25.

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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Fenberg moved to amend the Report of the Committee of the Whole to show that the following Fenberg floor amendment, (L.004) to SB17-281, did pass.

Amend printed bill, page 10, strike line 12 and substitute "COMPLIED WITH THIS SECTION; EXCEPT THAT NO FUNDS SHALL BE WITHHELD THAT ARE USED FOR PUBLIC SAFETY, PUBLIC EDUCATION, PUBLIC HEALTH, HUMAN SERVICES, OR TRANSPORTATION. THE STATE CONTROLLER SHALL WITHHOLD FUNDS UNTIL SUCH TIME AS THE JURISDICTION".

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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Kagan moved to amend the Report of the Committee of the Whole to show that the following Kagan floor amendment, (L.005) to SB17-281, did pass.

Amend printed bill, page 8, line 25, strike "LAW." and substitute "LAW; EXCEPT THAT, IN ORDER TO PRESERVE THE SOVEREIGNTY OF THE STATE OF COLORADO IN MATTERS OF TAXPAYER LIABILITY, BEFORE A FEDERAL DESIGNATION OF SANCTUARY JURISDICTION STATUS BECOMES BINDING UNDER SECTION 24-10-106 (1)(j) IN A CLAIM UNDER THE "COLORADO GOVERNMENTAL IMMUNITY ACT" OR UNDER THIS SECTION RESULTING IN THE WITHHOLDING OF FUNDS FROM A JURISDICTION PURSUANT TO SUBSECTION (7) OF THIS SECTION, THE GENERAL ASSEMBLY MUST ENACT A JOINT RESOLUTION THAT AFFIRMS THE FEDERAL GOVERNMENT'S DETERMINATION THAT THE JURISDICTION HAS CREATED A SANCTUARY JURISDICTION AS DESCRIBED IN THIS SECTION.".

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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Moreno moved to amend the Report of the Committee of the Whole to show that SB17-281 did not pass.

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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

SB17-107 by Senator(s) Merrifield, Fenberg, Kerr, Todd, Zenzinger; also Representative(s) McLachlan--Concerning measures to reward public education entities that provide student access to arts education programs.

Senator Merrifield moved to amend the Report of the Committee of the Whole to show that SB 17-107, as amended, did pass.

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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-281 as amended, SB17-289 as amended, SCR17-001, SB17-287 as amended, HB17-1176 as amended, HB17-1165 as amended, HB17-1057 as amended, HB17-1246 as amended, HB17-1304, HB17-1082 as amended.
Lost on second reading: SB17-107 as amended.
Laid over until Wednesday, April 26: SB17-253.
Laid over until Monday, May 1: SB17-003.
Laid over until Thursday, May 11: SB17-188, HB17-1123, SB17-273 as amended.

MESSAGE FROM THE HOUSE

April 24, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1027, as printed in House Journal, April 24, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

April 24, 2017

We herewith transmit:

Without comment, HB17-1252, 1332, and 1337.
Without comment, as amended, HB17-1260, 1279, 1291, 1292, 1300, 1305, 1310, and 1330.
Without comment, as amended, SB17-132, 215, and 244.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR17-1027 by Representative(s) Michaelson Jenet and Sias; also Senator(s) Crowder and Fenberg--Concerning the declaration of April 23, 2017, through April 29, 2017, as "Holocaust Awareness Week".

On motion of Senator Crowder, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Donovan, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

On motion of Assistant Majority Leader Scott, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of House Amendments to Senate Bills Calendar (SB17-254, SB17-203, SB17-017) of Monday, April 24, 2017, was laid over until Tuesday, April 25, 2017, retaining its place on the calendar.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-220 and 231.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, April 24, 2017, at 8:37 a.m.: SB17-233 and 234.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB17-282** be postponed indefinitely.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1316** 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 **SB17-293** 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 **HB17-1026** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1273** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB17-1228** 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 6, strike "OR PET HANDLING".

Page 2, strike line 7 and substitute "ANIMALS AT ONE TIME;".

Page 2, strike line 8 and substitute:

"(l) A COMPANY THAT USES TECHNOLOGY IN ITS BUSINESS MODEL THAT IS NOT A".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1236** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1235** be postponed indefinitely.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR17-042 by Senator(s) Martinez Humenik and Fields; also Representative(s) Rosenthal and Wist--Concerning the "Colorado Day of Remembrance of the Armenian Genocide" on April 26, 2017.

Laid over until Wednesday, April 26, retaining its place on the calendar.

INTRODUCTION OF MEMORIALS

The following memorials were read by title:

SJM17-008 by Senator(s) Lundberg; also Representative(s) Saine--Concerning an application to the United States Congress to call a convention under Article V of the Constitution of the United States with the sole agenda of proposing an amendment to the Constitution of the United States to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate.

Laid over one day under Senate Rule 30(d).

SM17-003 by Senator(s) Donovan, Kerr, Hill--Memorializing congress to support the designation of Camp Hale as the nation's first national historic landscape to preserve its rich military history.

Laid over one day under Senate Rule 30(d).

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB17-299 by Senator(s) Holbert and Moreno; also Representative(s) Van Winkle and Kraft-Tharp--Concerning the apportionment of income for state income tax for taxpayers with enterprise data centers in the state.
Finance

HB17-1252 by Representative(s) Ginal; also Senator(s) Hill--Concerning the collection of court costs from persons who are convicted of criminal offenses.
Judiciary

HB17-1260 by Representative(s) Kennedy; also Senator(s) Fenberg--Concerning the establishment of contribution limits under the "Fair Campaign Practices Act" for candidates for county offices, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB17-1279 by Representative(s) Garnett and Saine, Wist, Duran; also Senator(s) Tate and Guzman, Williams A., Hill--Concerning the requirement that a unit owners' association obtain approval through a vote of unit owners before filing a construction defect action.
Business, Labor, & Technology

HB17-1291 by Representative(s) Arndt and Becker J.; also Senator(s) Coram--Concerning the ability to store water at an alternate place of storage if the historical consumptive use of the water right has already been quantified in a previous change of the water right.
Agriculture, Natural Resources, & Energy

HB17-1300 by Representative(s) Benavidez; also Senator(s) Moreno--Concerning a requirement that contractors for public projects over five hundred thousand dollars that are not funded using federal moneys use apprentices for the parts of the project that are performed by workers in an apprenticeable occupation.
State, Veterans, & Military Affairs

HB17-1305 by Representative(s) Foote and Melton; also Senator(s) Guzman--Concerning the timing of an inquiry into a job applicant's criminal history.
State, Veterans, & Military Affairs

HB17-1310 by Representative(s) Kennedy and Jackson; also Senator(s) Fenberg--Concerning an application screening fee that a residential landlord charges a prospective tenant.
State, Veterans, & Military Affairs

HB17-1330 by Representative(s) Lee and Wist, Pabon; also Senator(s) Fields and Cooke, Gardner, Kagan, Lundberg, Marble, Todd, Williams A., Zenzinger--Concerning disallowing the use of certain convictions for the purpose of adjudicating a person an habitual criminal.
Judiciary

HB17-1332 by Representative(s) Bridges and Wilson; also Senator(s) Fenberg and Smallwood--Concerning state board of education authorization for an alternative teacher license for a person who participates in an alternative teacher program provided by a designated agency working with a nonpublic early child care facility.
Education

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, April 24, 2017, at 3:56 p.m.:
SB17-220 and 231.

To the Governor for signature on Monday, April 24, 2017, at 4:26 p.m.:
SB17-051 and 246.

MESSAGE FROM THE GOVERNOR

April 24, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-108: CONCERNING CONTINUATION OF THE REGULATION OF SPEECH-LANGUAGE PATHOLOGISTS BY THE DIRECTOR OF THE DIVISION OF PROFESSIONS AND OCCUPATIONS, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS OF THE 2016 SUNSET REPORT OF THE DEPARTMENT OF REGULATORY AGENCIES.

Approved April 24, 2017 at 3:00pm

SB17-190: CONCERNING PROHIBITING A CARRIER FROM SETTING FEES FOR A DENTAL SERVICE THAT IS NOT PAID FOR BY THE CARRIER.

Approved April 24, 2017 at 3:03pm

SB17-189: CONCERNING ELIMINATION OF THE REQUIREMENT THAT A LAW ENFORCEMENT AGENCY IS THE ONLY ENTITY AUTHORIZED TO TAKE FINGERPRINTS FOR PURPOSES OF A BACKGROUND CHECK.

Approved April 24, 2017 at 3:08pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, April 25, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

105th Legislative Day Tuesday, April 25, 2017

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 Donovan.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Monday, April 24, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB17-299; SJM17-008; SJR17-042; SM17-003.
Correctly Engrossed: SB17-281, 287, and 289; SCR17-001.
Correctly Revised: HB17-1057, 1082, 1165, 1176, 1246, and 1304; HJR17-1027 and 1028.
Correctly Rerevised: HB17-1255 and 1294.
Correctly Enrolled: SB17-027, 117, and 268.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB17-1292 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning child welfare licensed out-of-home placement provider rates, and, in connection therewith, making an appropriation.
Appropriations

HB17-1337 by Representative(s) Hamner, Young, Rankin; also Senator(s) Moreno, Lambert, Lundberg--Concerning the authority of the department of revenue to establish a renewal application fee for each liquor license that the department issues.
Finance
Appropriations

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:

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.

Laid over until Wednesday, April 26, retaining its place on the calendar.

SB17-281 by Senator(s) Neville T. and Marble, Cooke, Baumgardner, Holbert, Lambert, Lundberg, Scott, Smallwood, Sonnenberg; also Representative(s) Williams D. and Covarrubias, Beckman, Humphrey, Leonard, Lewis, Lundeen, Navarro, Neville P., Nordberg, Ransom, Saine, Sias, Van Winkle--Concerning holding Colorado government accountable for creating sanctuary jurisdiction policies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham and Hill.

SB17-289 by Senator(s) Gardner; also Representative(s) Lawrence--Concerning allowing the department of human services to transfer custody of certain adult offenders from the division of youth corrections upon a court order.

Laid over until Wednesday, April 26, retaining its place on the calendar.

SCR17-001 by Senator(s) Merrifield and Marble, Donovan, Fenberg, Kagan, Kerr, Moreno, Tate; also Representative(s) Melton, Coleman, Lebsock, Salazar, Singer--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning a reduction in the age qualification for a member of the general assembly from twenty-five years to twenty-one years.

The question being "Shall the concurrent resolution pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A constitutional two-thirds of all members elected to the Senate having voted in the affirmative, the concurrent resolution was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Crowder, Fields, Garcia, Hill, Holbert, Kefalas, Lundberg, Neville T., Scott, and Sonnenberg.

HB17-1176 by Representative(s) Becker J. and McLachlan; also Senator(s) Sonnenberg--Concerning an extension of the employment after retirement limitations for retirees of the public employees' retirement association employed by a rural school district after retirement.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Fields, Hill, Jahn, Kagan, Kefalas, Kerr, Moreno, Todd, Williams A., and Zenzinger.

SB17-287 by Senator(s) Priola; also Representative(s) Garnett--Concerning an income tax credit for charitable contributions to an eligible endowment fund.

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	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Moreno.

HB17-1165 by Representative(s) Lebsock; also Senator(s) Aguilar--Concerning the resolution of disciplinary actions by agencies within 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	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB17-1057 by Representative(s) Winter and Liston; also Senator(s) Kerr and Gardner--Concerning the adoption of an interstate compact to allow persons authorized to practice physical therapy in a state to obtain the privilege to practice physical therapy in other member states, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Kagan, and Kefalas.

HB17-1246 by Representative(s) Kraft-Tharp; also Senator(s) Tate and Garcia--Concerning implementation of the STEMI task force recommendations relating to reporting confirmed heart attack incidents in the state.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Kagan, Kefalas, Merrifield, Moreno, Todd, and Williams A.

HB17-1304 by Representative(s) Singer and Ransom; also Senator(s) Smallwood and Kefalas--Concerning allowing the adoption of a child under the jurisdiction of a court in Colorado who is not present in Colorado.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Hill, Holbert, Jahn, Kagan, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Scott, Tate, Todd, and Williams A.

HB17-1082 by Representative(s) Pabon; also Senator(s) Tate--Concerning clarification that financial assistance under the "Building Excellent Schools Today Act" includes technology grants.

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	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Hill, Martinez Humenik, and Todd.

Committee of the Whole

On motion of Senator Crowder, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Crowder was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-271 by Senator(s) Cooke; also Representative(s) Pabon--Concerning the development of a transparent process by which an investor-owned utility may recover actual costs from a property owner on whose behalf the utility has extended its service by connecting the property owner's property to the utility's service.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, April 21, page(s) 877-878 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1004 by Representative(s) Michaelson Jenet and Danielson; also Senator(s) Hill and Garcia--Concerning a statewide policy for awarding college credit for military education and training.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 21, page 878 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB17-291 by Senator(s) Martinez Humenik; also Representative(s) Bridges--Concerning continuation of the school safety resource center advisory board.

Removed from the General Orders--Second Reading of Bills Consent Calendar of Tuesday, April 25, 2017, and placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, April 25, 2017.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Crowder, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-271 as amended, HB17-1004 as amended.
Laid over to the end of the General Orders -- Second Reading of Bills calendar, Tuesday, April 25: SB17-291.

Committee of the Whole

On motion of Senator Crowder, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Crowder was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1190 by Representative(s) Becker K.; also Senator(s) Sonnenberg--Concerning the limited applicability of the Colorado supreme court's decision in St. Jude's Co. v. Roaring Fork Club, LLC, 351 P.3d 442 (Colo. 2015).

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, April 21, page(s) 881-882 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB17-291 by Senator(s) Martinez Humenik; also Representative(s) Bridges--Concerning continuation of the school safety resource center advisory board.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 21, page 879 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Martinez Humenik.

> Amend the Senate Education Committee Report, dated April 20, 2017, page 1, strike line 6 and substitute "SEPTEMBER 1, 2022.".".

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 Crowder, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-291 as amended, HB17-1190 as amended.

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1080** be postponed indefinitely.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1207** 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 **SB17-295** 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 **SB17-292** 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 3, line 2, strike "AND".

Page 3, line 3, after "JOBS," insert "AND ADMINISTRATIVE COSTS THAT DIRECTLY SUPPORT EMPLOYMENT PROGRAMS TIED TO A WAGE,".

Page 3, strike lines 8 and 9 and substitute "PROGRAM, A COMMUNITY-BASED ORGANIZATION MUST DEMONSTRATE IN ITS".

Page 3, strike line 12 and substitute "OF SUPPORT FROM THE DEPARTMENT OR DEPARTMENTS OF HUMAN OR SOCIAL SERVICES IN THE COUNTY OR COUNTIES IN WHICH THE COMMUNITY-BASED ORGANIZATION".

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1298** 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 **HB17-1295** 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 **HB17-1249** be referred to the Committee of the Whole with favorable recommendation.

CONSIDERATION OF MEMORIALS

SJM17-008 by Senator(s) Lundberg; also Representative(s) Saine--Concerning an application to the United States Congress to call a convention under Article V of the Constitution of the United States with the sole agenda of proposing an amendment to the Constitution of the United States to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate.

On motion of Senator Lundberg, the memorial was **lost** by the following roll call vote:

YES	10	NO	25	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	N
Cooke	N	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	N	Marble	Y	Tate	Y
Court	N	Holbert	N	Martinez Humenik	N	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	N	President	N
Fields	N	Kefalas	N	Priola	N		

SM17-003 by Senator(s) Donovan, Kerr, Hill--Memorializing congress to support the designation of Camp Hale as the nation's first national historic landscape to preserve its rich military history.

On motion of Senator Donovan, the memorial was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Cooke, Court, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Holbert, Kagan, Kefalas, Lambert, Marble, Martinez Humenik, Merrifield, Moreno, Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, and Zenzinger.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Governor's Appointments--Consent Calendar, followed by the Consideration of Governor's Appointments Calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
COLORADO CHILDREN'S TRUST FUND BOARD

for a term expiring November 7, 2019:

Jennifer N. Kelloff, MD of Arvada, Colorado, to serve as a member with knowledge of child abuse prevention, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
COLORADO HEALTH FACILITIES AUTHORITY BOARD OF DIRECTORS

for a term expiring June 30, 2020:

Kathryn S. Kanda of Denver, Colorado, a Democrat, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD

for a term expiring May 15, 2017:

Shepard J. Nevel of Denver, Colorado, a consumer of health care who is not a representative or an employee of a hospital, health insurance carrier, or other health care industry entity, and occasioned by the resignation of Mirna Ramirez-Castro of Thornton, Colorado, appointed.

for a term expiring May 15, 2019:

Peggy Jordan Burnette of Denver, Colorado, an employee of a hospital in Colorado, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
MEDICAL SERVICES BOARD

for a term expiring July 1, 2020:

An Thi H. Nguyen of Denver, Colorado, to serve as a resident of the First Congressional District, a Democrat, with knowledge of medical assistance programs, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
STATE BOARD OF HUMAN SERVICES

for a term expiring March 1, 2019:

Julie Ann Holligan Westendorff of Durango, Colorado, to serve as a county commissioner, and occasioned by the resignation of the Honorable David Allen Foy of Otis, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
SOLID AND HAZARDOUS WASTE COMMISSION

for terms expiring August 1, 2019:

Teresa Ann Coons, PhD of Denver, Colorado, to serve as a member of the public and as a Democrat, appointed;

Elizabeth J. O'Connell, PhD of Aspen, to serve as a representative of the academic community and as a Democrat, appointed;

Stephen Wendell Gillette of Berthoud, Colorado, to serve as a representative of local government, and as a Republican, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COAL MINE BOARD OF EXAMINERS

for a term expiring July 1, 2019:

Richard Clair Chermak of Hotchkiss, Colorado, to serve as a coal miner of known experience and practice in underground coal mining residing in the State of Colorado and actively engaged in the coal mining industry during the term of office, reappointed;

for a term expiring July 1, 2020

John Carral Poulos, P.E. of Paonia, Colorado, to serve as a Colorado mine owner, operator, manager or other mine official actively engaged in the underground coal mining industry during the term of office, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
STATE BOARD OF LAND COMMISSIONERS

for a term expiring June 30, 2017:

John Michael Shaw of Denver, Colorado, to serve as a citizen at large and an Unaffiliated, and occasioned by the resignation of Buck Blessing of Denver, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Hill, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
CHARTER SCHOOL INSTITUTE BOARD

for a term expiring July 1, 2018:

Antonio Patrick Pares of Denver, Colorado, to serve as a member with experience as a charter school board member or founder of a charter school, experience as a public school administrator with experience working with charter schools, other board or public service experience, and as a Democrat, and occasioned by the resignation of Kurtis Matthew Indorf of Denver, Colorado, appointed.

for terms expiring July 1, 2019:

Thomas Brinegar of Lafayette, Colorado, to serve as a member with other board or public service experience, and an Unaffiliated, appointed;

Yee-Ann Cho of Denver, Colorado, to serve as a member who has experience as a public school teacher, and as a Democrat, appointed.

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SENATE ADHERENCE ON SB17-203

SB17-203 by Senator(s) Todd, Coram, Aguilar, Crowder, Kefalas; also Representative(s) Covarrubias and Kennedy--Concerning the prohibition against a carrier requiring a covered person to undergo step therapy, and, in connection therewith, requiring coverage for a prescribed medication that is part of the carrier's medication formulary.

Senator Todd moved that the Senate not concur in House amendments to **SB17-203** as printed in House journal, April 13, page 893, and that the Senate adhere to its position.

The motion was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-017 by Senator(s) Aguilar; also Representative(s) Singer--Concerning adding stress disorders to the list of debilitating medical conditions for the purposes of the use of medical marijuana.

Senator Aguilar moved that the Senate concur in House amendments to **SB17-017**, as printed in House journal, April 20, page 988. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-215 by Senator(s) Priola; also Representative(s) Gray--Concerning the continuation under the sunset law of the division of real estate, and, in connection therewith, implementing the recommendations contained in the sunset report prepared by the department of regulatory agencies.

Senator Priola moved that the Senate concur in House amendments to **SB17-215**, as printed in House journal, April 21, page(s) 1017-1018. The motion was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-244 by Senator(s) Priola; also Representative(s) Gray--Concerning retail food establishment license fees.

Senator Priola moved that the Senate concur in House amendments to **SB17-244**, as printed in House journal, April 21, page 1018. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-132 by Senator(s) Gardner; also Representative(s) Wist and Melton--Concerning enactment of the "Revised Uniform Law on Notarial Acts" as amended.

Senator Gardner moved that the Senate concur in House amendments to **SB17-132**, as printed in House journal, April 21, page 1018. The motion was **adopted** by the following roll call vote:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-254 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin-
Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.

Laid over until Wednesday, April 26, retaining its place on the calendar.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-083 and 148; HB17-1008, 1185, 1188, and 1219.

MEMORANDUM
REPORT FROM THE SENATE AND HOUSE COMMITTEES ON DELAYED BILLS

Pursuant to Joint Rule 23 (c), the Senate and House Committees on Delayed Bills, acting jointly, extend the following deadline for Senate Bill No. 17-254, the Long Appropriations Bill:

The Friday, April 14 deadline (the 94th legislative day) for adoption of the conference committee report on the Long Appropriations Bill as extended until Wednesday, April 26, 2017 (the 106th legislative day), is further extended until Wednesday, May 10, 2017 (the 120th legislative day).

This memorandum shall be printed in the journal of each house as is required by Joint Rule 23 (c).

(signed)
Senator Grantham
President of the Senate

(signed)
Representative Duran
Speaker of the House of Representatives

(signed)
Senator Holbert
Senate Majority Leader

(signed)
Representative Becker, K.
House Majority Leader

(signed)
Senator Guzman
Senate Minority Leader

(signed)
Representative Neville, P.
House Minority Leader

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appro-priations

After consideration on the merits, the Committee recommends that **SB17-280** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, before line 1 insert:

"**SECTION 1.** In Colorado Revised Statutes, 24-46-105, **amend** (1) as follows:

24-46-105. Colorado economic development fund - creation. (1) There is hereby created a fund to be known as the Colorado economic development fund, referred to in this part 1 as the "fund", which shall be administered by the commission and which shall consist of all moneys that may be available to ~~it~~ THE COMMISSION. THE COMMISSION MAY TRANSFER TO THE FUND ANY GENERAL FUND MONEY APPROPRIATED TO THE COMMISSION AND THE COMMISSION MAY EXPEND SUCH MONEY WITHOUT FURTHER APPROPRIATION.".

Renumber succeeding sections accordingly.

Page 2, after line 4 insert:

"**SECTION 2. Appropriation.** For the 2017-18 state fiscal year, $5,000,000 is appropriated to the office of the governor for use by the Colorado office of economic development. This appropriation is from the general fund and is based on an assumption that the office will require an additional 4.0 FTE. To implement this act, the office may use this appropriation for the economic development commission - general economic incentives and marketing.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**COMMISSION.**" and substitute "**COMMISSION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

April 25, 2017

Mr. President:

The House has passed on Third Reading and returns herewith SB17-256, 262.

In response to the request of the Senate, the Speaker has appointed Representatives Pabon, chairman, Foote, and Van Winkle as House conferees on the First Conference Committee on SB17-184.

Call of the Senate. Call raised.

RECONSIDERATION OF SB17-254

SB17-254 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Consideration of House Amendments to Senate Bills, on **SB17-254**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS (cont'd)

SB17-254 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.

Senator Lambert moved that the Senate not concur in House amendments to **SB17-254**, as printed in House journal, April 6, page(s) 794-801, and April 7, page 804, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senators Lambert, Chair, Lundberg, and Moreno were appointed as Senate conferees on the first conference committee on **SB17-254**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB17-254 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.

Senator Lambert moved that the Senate conferees on the first conference committee on **SB17-254** be granted permission to go beyond the scope of the differences between the two houses.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted**.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Finance The Committee on Finance 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
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for a term expiring September 1, 2019:

Tammy Ann Hitchens of Westminster, Colorado, to serve as a representative of Colorado municipal employers, and occasioned by the resignation of Manuel Albert Esquibel of Brighton, Colorado, appointed.

Finance The Committee on Finance has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
ADVISORY COMMITTEE TO THE PROPERTY
TAX ADMINISTRATOR

for a term expiring September 1, 2018:

Keith Alan Erffmeyer of Aurora, Colorado, to serve as an assessor from a county with a population over 75,000 and as a Republican, and occasioned by the resignation of Corbin Sakdol of Littleton, Colorado, appointed.

for terms expiring September 1, 2020:

Mark Douglas Chapin of Eagle, Colorado, to serve as an assessor from a county with a

population under 75,000 and as a Democrat, reappointed;

Robyn A. Kashiwa Truby of Denver, Colorado, to serve as a non-assessor from a county with a population over 75,000, as the Chair of the Committee and as a Democrat, reappointed;

Philip Brent Vaughan of Rifle, Colorado, to serve as a non-assessor from the Western Slope and as a Republican, reappointed.

Finance — After consideration on the merits, the Committee recommends that **HB17-1216** be referred to the Committee on Legislative Council with favorable recommendation.

Trans-portation — After consideration on the merits, the Committee recommends that **HB17-1212** be referred to the Committee on Appropriations with favorable recommendation.

Trans-portation — After consideration on the merits, the Committee recommends that **HB17-1225** be amended as follows, and as so amended, be referred to the Committee on Legislative Council with favorable recommendation.

Amend reengrossed bill, page 5, strike lines 5 through 14 and substitute:

"**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

Trans-portation — After consideration on the merits, the Committee recommends that **HB17-1031** be referred to the Committee on Legislative Council with favorable recommendation.

Local Government — After consideration on the merits, the Committee recommends that **HB17-1297** be referred to the Committee of the Whole with favorable recommendation.

Local Government — After consideration on the merits, the Committee recommends that **HB17-1283** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

MESSAGE FROM THE HOUSE

April 25, 2017

Mr. President:

In response to the request of the Senate, the Speaker has appointed Representatives Hamner, chairman, Young, and Rankin as House conferees on the First Conference Committee on SB17-254.

The House has postponed indefinitely SB17-039. The bill is returned herewith.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, April 26, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

106th Legislative Day Wednesday, April 26, 2017

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community: A Mennonite Congregation, Littleton.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--33
Excused--2, Kagan, Moreno.
Present later--2, Kagan, Moreno.

Quorum — The President announced a quorum present.

Pledge — By Senator Donovan.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Tuesday, April 25, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance — After consideration on the merits, the Committee recommends that **HB17-1242** be postponed indefinitely.

Business, Labor, & Technology — The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
PINNACOL ASSURANCE BOARD OF DIRECTORS

effective August 31, 2016 for a term expiring January 1, 2021:

Geraldine Ann Lewis-Jenkins of Denver, Colorado, to serve as an employee of an employer whose liability is insured by Pinnacol, appointed.

for terms expiring January 1, 2022:

Howard L. Carver of Silverthorne, Colorado, who has experience in the management and operation of insurance companies, not competing with Pinnacol Assurance, reappointed;

Jeffrey L. Cummings of Arvada, Colorado, an employer whose liability is insured by Pinnacol Assurance, reappointed.

SENATE SERVICES REPORT

Correctly Engrossed: SB17-271 and 291; SM17-003.
Correctly Reengrossed: SB17-281 and 287; SCR17-001.
Correctly Revised: HB17-1004 and 1190.
Correctly Rerevised: HB17-1057, 1082, 1165, 1176, 1246, and 1304.
Correctly Enrolled: SB17-017, 132, 215, 244, 256, and 262.

On motion of Assistant Majority Leader Scott, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions and Consideration of Memorials.

CONSIDERATION OF RESOLUTIONS

SJR17-038 by Senator(s) Tate; also Representative(s) Carver and Ginal--Concerning the designation of May 2017 as "Motorcycle Safety Awareness Month".

On motion of Senator Tate, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Todd, Williams A., and Zenzinger.

SJR17-042 by Senator(s) Martinez Humenik and Fields; also Representative(s) Rosenthal and Wist--Concerning the "Colorado Day of Remembrance of the Armenian Genocide" on April 26, 2017.

On motion of Senator Martinez Humenik, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

CONSIDERATION OF MEMORIALS

SM17-002 by Senator(s) Hill and Garcia--Memorializing Congress to hold the United States Department of Veterans Affairs accountable.

On motion of Senator Hill, the memorial was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Guzman, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB17-271 by Senator(s) Cooke; also Representative(s) Pabon--Concerning the development of a transparent process by which an investor-owned utility may recover actual costs from a property owner on whose behalf the utility has extended its service by connecting the property owner's property to the utility's service.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Gardner, Holbert, Martinez Humenik, Scott, Smallwood, Sonnenberg, and Tate.

HB17-1004 by Representative(s) Michaelson Jenet and Danielson; also Senator(s) Hill and Garcia--Concerning a statewide policy for awarding college credit for military education and training.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

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:

SB17-289 by Senator(s) Gardner; also Representative(s) Lawrence--Concerning allowing the department of human services to transfer custody of certain adult offenders from the division of youth corrections upon a court order.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Grantham, Holbert, Lambert, and Smallwood.

HB17-1190 by Representative(s) Becker K.; also Senator(s) Sonnenberg--Concerning the limited applicability of the Colorado supreme court's decision in St. Jude's Co. v. Roaring Fork Club, LLC, 351 P.3d 442 (Colo. 2015).

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Grantham, and Scott.

SB17-291 by Senator(s) Martinez Humenik; also Representative(s) Bridges--Concerning continuation of the school safety resource center advisory board.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Fenberg, Fields, Gardner, Grantham, Hill, Jones, Kefalas, Kerr, Lambert, Merrifield, Moreno, Priola, Todd, Williams A., and Zenzinger.

SB17-138 by Senator(s) Tate; also Representative(s) Foote--Concerning the role of election watchers in connection with the conduct of elections.

A majority of those elected to the Senate having voted in the affirmative, Senator Tate was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.021), by Senator Tate.

Amend engrossed bill, page 3, strike lines 3 through 6 and substitute:

"(52) "WITNESS AND VERIFY" MEANS TO WITNESS AND VERIFY, WITHOUT HINDRANCE, OBSTRUCTION, INTERFERENCE, OR UNREASONABLE DELAY, ALL STEPS IN THE CONDUCT OF THE ELECTION.".

Page 3, after line 6 insert:

"**SECTION 2.** In Colorado Revised Statutes, **add** 1-7-104.5 as follows:

1-7-104.5. Watchers - legislative intent. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT COLORADO'S ELECTIONS BE FULLY VERIFIABLE TO CITIZENS THROUGH THE WORK OF APPOINTED WATCHERS, ELECTION OFFICIALS, COUNTY CLERK AND RECORDERS, OTHER COUNTY STAFF, ELECTION JUDGES, CANVASS BOARDS, AND MEDIA OBSERVERS. PROVISIONS OF THIS CODE RELATED TO WATCHER RIGHTS SHOULD BE LIBERALLY CONSTRUED TO PERMIT THE MAXIMUM PRACTICAL TRANSPARENCY AND THE ACCOMMODATION OF THE MAXIMUM NUMBER OF WATCHERS. THE APPOINTING AUTHORITY MAY DETERMINE THE NUMBER OF WATCHERS THE AUTHORITY DEEMS IS SUFFICIENT TO BE ABLE TO WITNESS AND VERIFY ALL STEPS IN THE CONDUCT OF THE ELECTION.".

Renumber succeeding sections accordingly.

Page 3, strike lines 10 through 12 and substitute "participating in a primary election ~~shall be~~ IS entitled to ~~have a watcher in each precinct in the county~~ APPOINT SUFFICIENT WATCHERS TO BE ABLE TO WITNESS AND VERIFY ALL STEPS IN THE CONDUCT OF THE ELECTION. THE".

Page 4, strike line 3 and substitute "~~person~~ SUFFICIENT WATCHERS to act on their behalf TO BE ABLE TO WITNESS AND VERIFY ALL STEPS IN THE CONDUCT OF THE ELECTION in every ~~precinct~~ COUNTY in".

Page 4, strike lines 17 through 20 and substitute "vacancy election, is entitled to ~~have no more than one watcher at any one time in each voter~~

~~service and polling center in the county and at each place where votes are counted in accordance with this article~~ APPOINT SUFFICIENT WATCHERS TO BE ABLE TO WITNESS AND VERIFY ALL STEPS IN THE CONDUCT OF THE ELECTION. IN THE CASE".

Page 5, strike lines 17 and 18 and substitute "issue, are each entitled to appoint ~~one person to act as a watcher~~ SUFFICIENT WATCHERS TO BE ABLE TO WITNESS AND VERIFY ALL STEPS IN THE CONDUCT OF THE ELECTION in every ~~polling place~~ COUNTY in which they are a candidate".

Page 6, strike lines 10 through 23 and substitute "and verify each step in the conduct of the election from ~~prior to the opening of the polls~~ CERTIFICATION OF BALLOT CONTENT through the ~~completion of the count and announcement of the results, to~~ CANVASS OF THE VOTES AND ANY RECOUNT, challenge ineligible electors, and ~~to~~ assist in the correction of discrepancies.

(II) IF A WATCHER SEES A POTENTIAL DISCREPANCY, HE OR SHE MAY COMMUNICATE WITH THE DESIGNATED ELECTION OFFICIAL, THE COUNTY CLERK AND RECORDER, THE SUPERVISOR JUDGE, OR ANY OTHER CONTACT WHO HAS BEEN OFFICIALLY DESIGNATED TO RECEIVE SUCH REPORTS AND REQUEST THAT THE DISCREPANCY BE CORRECTED. THE WATCHER MAY ALSO SUBSEQUENTLY REPORT THE DISCREPANCY TO THE SECRETARY OF STATE. WITHIN FORTY-EIGHT HOURS OF THE REPORT, THE SECRETARY OF STATE SHALL TAKE APPROPRIATE ACTION IN RESPONSE TO THE REPORT AND SHALL CREATE A PERMANENT RECORD OF THE REPORT AND THE ACTION TAKEN.".

Page 6, line 24, strike "THE PROCESS OF".

Page 6, after line 25 insert:

"(c) THE SECRETARY OF STATE SHALL PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24 TO PROVIDE FOR THE PRACTICAL MAXIMUM NUMBERS OF WATCHERS AT EACH DISCRETE STEP IN THE CONDUCT OF THE ELECTION, INCLUDING ALLOWING, IF PRACTICAL, FOR MORE THAN ONE WATCHER APPOINTED BY THE SAME APPOINTING AUTHORITY TO WATCH TOGETHER.".

Page 7, strike line 17 and substitute "CONVICTED OF ELECTION FRAUD, AN ELECTION OFFENSE, STALKING, IDENTITY THEFT, OR FRAUD AND".

Page 7, strike lines 20 through 22 and substitute "UNTIL AFTER THE POLLS HAVE CLOSED."".

Page 7, lines 25, strike "ANY".

Page 7, strike lines 26 and 27 and substitute "ALL STEPS AT WHICH ANY ELECTION OFFICIAL MAY LEGALLY BE PRESENT BEGINNING WITH CERTIFICATION OF BALLOT CONTENT THROUGH THE CANVASS OF VOTES AND ANY RECOUNT.".

Page 8, strike lines 21 and 22 and substitute "SECTION 1-7-108 FROM WITNESSING AND VERIFYING SIGNATURES DURING THE PROCESS OF SIGNATURE VERIFICATION.".

The amendment was **passed** on the following roll call vote:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of those elected to the Senate having voted in the affirmative, Senator Tate was given permission to offer a third reading amendment.

Third Reading Amendment No. 2(L.020), by Senator Tate.

Amend engrossed bill, page 7, line 16, strike "OBSERVE; THAT" and substitute "OBSERVE; THAT, IF I WILL BE ABLE TO VIEW PROTECTED INFORMATION IN ELECTORS' RECORDS,".

Page 7, strike line 17 and substitute "CONVICTED OF ELECTION FRAUD, AN ELECTION OFFENSE, STALKING, IDENTITY THEFT, OR FRAUD; AND".

Page 8, lines 23 and 24, strike "**amend** (2)" and substitute "**add** (2.5)".

Page 8, strike lines 26 and 27 and substitute "**history records of election judges and employees - rules.** (2.5) A COUNTY CLERK AND RECORDER MAY, IN HIS OR HER DISCRETION, REQUEST THE CRIMINAL HISTORY RECORDS FROM THE PUBLIC WEBSITE MAINTAINED BY THE COLORADO BUREAU OF INVESTIGATION FOR A WATCHER, AS DEFINED IN SECTION 1-1-104 (51), IF THE WATCHER WILL BE VIEWING PROTECTED INFORMATION IN ELECTORS' RECORDS IN THE STATEWIDE VOTER REGISTRATION SYSTEM ESTABLISHED IN SECTION 1-2-301. A COUNTY CLERK AND RECORDER MAY REQUEST THE CRIMINAL HISTORY RECORDS FOR ANY PROSPECTIVE WATCHER NOT MORE THAN ONCE EACH CALENDAR YEAR. IF A WATCHER HAS BEEN CONVICTED OF ELECTION FRAUD, AN ELECTION OFFENSE, STALKING, IDENTITY THEFT, OR FRAUD DURING THE TEN-YEAR PERIOD PRECEDING THE ELECTION AT WHICH HE OR SHE IS DESIGNATED AS A WATCHER, THE WATCHER MAY SERVE AS A WATCHER BUT SHALL NOT HAVE ACCESS TO PROTECTED INFORMATION IN ELECTORS' RECORDS MAINTAINED IN THE STATEWIDE VOTER REGISTRATION SYSTEM. THE COUNTY CLERK AND RECORDER SHALL NOTIFY THE APPOINTING AUTHORITY OF A PARTICULAR WATCHER IF THE WATCHER FAILS TO PASS THE CRIMINAL HISTORY RECORDS CHECK AUTHORIZED BY THIS SUBSECTION (2.5). IF A WATCHER PASSES THE CRIMINAL HISTORY RECORDS CHECK AUTHORIZED BY THIS SUBSECTION (2.5), THE WATCHER MAY REQUEST A LETTER FROM THE COUNTY CLERK AND RECORDER WHO CONDUCTED THE RECORDS CHECK INDICATING THE WATCHER PASSED THE CHECK, WHICH LETTER MUST BE ACCEPTED AS PROOF OF PASSAGE OF THE CRIMINAL HISTORY RECORDS CHECK IF THE WATCHER DESIRES TO BE A WATCHER IN MORE THAN ONE COUNTY DURING THE SAME CALENDAR YEAR.".

Page 9, strike lines 1 through 9.

The amendment was **passed** on the following roll call vote:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

On motion of Senator Tate, and with a majority of those elected to the Senate having voted in the affirmative, the bill, as amended, was **laid over** until Thursday, May 11.

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--Consent Calendar, and Senator Lundberg was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1316 by Representative(s) Lontine; also Senator(s) Marble--Concerning delaying the implementation of House Bill 16-1309.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-293 by Senator(s) Kagan, Cooke, Gardner, Guzman, Holbert; also Representative(s) Lee, Foote, Herod, Willett, Wist--Concerning updating the reference to a national standard setting forth certain specifications applicable to the type of paper used to publish the Colorado Revised Statutes.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1228 by Representative(s) Pabon and Landgraf; also Senator(s) Priola--Concerning licensing exemptions related to pet animal facilities, including those utilizing technology in their business models.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, April 24, page 908 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 -- CONSENT CALENDAR

On motion of Senator Lundberg, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-293, HB17-1316, HB17-1228 as amended.

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 act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-253 by Senator(s) Marble and Guzman; also Representative(s) Garnett and McKean-- Concerning increasing the authority for certain providers of alcohol beverages to provide beverages to customers from approved sales rooms.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 20, page 871 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	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-253 as amended.

MESSAGE FROM THE HOUSE

April 26, 2017

Mr. President:

The House has adopted and returns herewith SJR17-042.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1317.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1320, amended as printed in House Journal, April 25, 2017.
HB17-1276, amended as printed in House Journal, April 25, 2017.
HB17-1284, amended as printed in House Journal, April 25, 2017.
HB17-1285, amended as printed in House Journal, April 25, 2017.
HB17-1296, amended as printed in House Journal, April 25, 2017.
HB17-1306, amended as printed in House Journal, April 25, 2017.
HB17-1336, amended as printed in House Journal, April 25, 2017.
HB17-1276, amended as printed in House Journal, April 25, 2017.
HB17-1340, amended as printed in House Journal, April 25, 2017.
HB17-1331, amended as printed in House Journal, April 25, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB17-1302, amended as printed in House Journal, April 25, 2017, and amended on Third Reading as printed in House Journal, April 26, 2017.

The House has voted to grant the House conferees on the First Conference Committees on SBs17-184, 254 to consider matters not at issue between the two houses.

Upon request of Assistant Majority Leader Scott, **HB17-1207** was removed from the General Orders--Second Reading of Bills Consent Calendar of Thursday, April 27, 2017, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Thursday, April 27, 2017.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Trans-portation — After consideration on the merits, the Committee recommends that **HB17-1206** be postponed indefinitely.

Education — After consideration on the merits, the Committee recommends that **HB17-1271** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 10, strike "OPPORTUNITY" and substitute "OPPORTUNITY, STANDARDS,".

Page 3, line 1, strike "OPPORTUNITY" and substitute "OPPORTUNITY, STANDARDS,".

Education — After consideration on the merits, the Committee recommends that **HB17-1251** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education — After consideration on the merits, the Committee recommends that **HB17-1258** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education — After consideration on the merits, the Committee recommends that **HB17-1301** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1077** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1288** 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 **HB17-1232** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1287** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1261** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1262** be postponed indefinitely.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB17-275** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 4, line 4, after the period, insert "NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A MEDICAL RESEARCH FACILITY AUTHORIZED PURSUANT TO THIS SECTION TO CONDUCT MEDICAL RESEARCH REGARDING MARIJUANA IS EXEMPT FROM ALL OTHERWISE APPLICABLE RESTRICTIONS ON THE POSSESSION AND USE OF MARIJUANA; EXCEPT THAT THE FACILITY SHALL USE THE MARIJUANA ONLY FOR THE MEDICAL RESEARCH AUTHORIZED PURSUANT TO THIS SECTION AND SHALL DESTROY ALL MARIJUANA REMAINING AFTER THE RESEARCH HAS BEEN COMPLETED.".

Page 4, line 15, strike "(1)(h)" and substitute "(1)(h); and **add** (2.5)(a)(I)(G)".

Page 4, strike lines 20 to 27 and substitute "until the medical marijuana or medical marijuana-infused product is sold to a customer at a medical marijuana center to ensure that no medical marijuana grown or processed by a medical marijuana establishment is sold or otherwise transferred except by a medical marijuana center; EXCEPT THAT THE MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCT IS NO LONGER SUBJECT TO THE TRACKING SYSTEM ONCE THE MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCT HAS BEEN:

(I) TRANSFERRED TO A MEDICAL RESEARCH FACILITY PURSUANT TO SECTION 25-1.5-106.5 (5)(b); OR

(II) USED BY A PESTICIDE MANUFACTURER IN QUANTITIES THAT ARE LIMITED".

Page 5, line 4, after the period, add "NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PESTICIDE MANUFACTURER AUTHORIZED PURSUANT TO THIS SUBSECTION (1)(h)(II) TO CONDUCT PESTICIDE RESEARCH REGARDING MARIJUANA IS EXEMPT FROM ALL OTHERWISE APPLICABLE RESTRICTIONS ON THE POSSESSION AND USE OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCT; EXCEPT THAT THE MANUFACTURER SHALL:

(A) NOT POSSESS AT ANY TIME A QUANTITY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCT IN EXCESS OF THE LIMIT ESTABLISHED IN RULES PROMULGATED BY THE STATE LICENSING AUTHORITY;

(B) USE THE MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCT ONLY FOR THE PESTICIDE RESEARCH AUTHORIZED PURSUANT TO THIS SUBSECTION (1)(h)(II); AND

(C) DESTROY ALL MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCT REMAINING AFTER THE RESEARCH HAS BEEN COMPLETED.

(2.5) (a) Rules promulgated pursuant to paragraph (b) of subsection (1) of this section must include, but need not be limited to, the following subjects:

(I)(G) A STATE, LOCAL, OR MUNICIPAL AGENCY SHALL NOT EMPLOY OR USE THE RESULTS OF ANY TEST OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS CONDUCTED BY AN ANALYTICAL LABORATORY THAT IS NOT CERTIFIED PURSUANT TO THIS SUBSECTION (2.5)(a)(I) FOR THE PARTICULAR INTENDED USE CATEGORY OR ACCREDITED TO THE INTERNATIONAL ORGANIZATION FOR STANDARDIZATION/INTERNATIONAL ELECTROTECHNICAL COMMISSION 17025 STANDARD FOR THAT FIELD OF TESTING.".

Page 5, line 6, strike "(1)" and substitute "(1); and **add** (3)(a)(IV)(H)".

Page 5, strike lines 13 to 19 and substitute: "plant stage until the

marijuana or retail marijuana product is sold to a customer at a retail marijuana store; ~~to ensure that no marijuana grown or processed by a retail marijuana establishment is sold or otherwise transferred except by a retail marijuana store~~ EXCEPT THAT RETAIL MARIJUANA IS NO LONGER SUBJECT TO THE TRACKING SYSTEM ONCE THE RETAIL MARIJUANA HAS BEEN:

(a) TRANSFERRED TO A MEDICAL RESEARCH FACILITY PURSUANT TO SECTION 25-1.5-106.5 (5)(b); OR

(b) USED BY A PESTICIDE MANUFACTURER IN QUANTITIES THAT ARE LIMITED".

Page 5, line 23, after the period, add "NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PESTICIDE MANUFACTURER AUTHORIZED PURSUANT TO THIS SUBSECTION (1)(b) TO CONDUCT PESTICIDE RESEARCH REGARDING RETAIL MARIJUANA IS EXEMPT FROM ALL OTHERWISE APPLICABLE RESTRICTIONS ON THE POSSESSION AND USE OF RETAIL MARIJUANA; EXCEPT THAT THE MANUFACTURER SHALL:

(I) NOT POSSESS AT ANY TIME A QUANTITY OF RETAIL MARIJUANA IN EXCESS OF THE LIMIT ESTABLISHED IN RULES PROMULGATED BY THE STATE LICENSING AUTHORITY;

(II) USE THE RETAIL MARIJUANA ONLY FOR THE PESTICIDE RESEARCH AUTHORIZED PURSUANT TO THIS SUBSECTION (1)(b); AND

(III) DESTROY ALL RETAIL MARIJUANA REMAINING AFTER THE RESEARCH HAS BEEN COMPLETED.

(3) (a) Rules promulgated pursuant to paragraph (b) of subsection (2) of this section must include, but need not be limited to, the following subjects:

(IV) (H) A STATE, LOCAL, OR MUNICIPAL AGENCY SHALL NOT EMPLOY OR USE THE RESULTS OF ANY TEST OF MARIJUANA OR MARIJUANA PRODUCTS CONDUCTED BY AN ANALYTICAL LABORATORY THAT IS NOT CERTIFIED PURSUANT TO THIS SUBSECTION (3)(a)(IV) FOR THE PARTICULAR INTENDED USE CATEGORY AND FOR THE SPECIFIC MATRIX AND ACCREDITED BY A THIRD-PARTY FOR THAT FIELD OF TESTING.".

Page 5, strike lines 24 through 27.

Strike pages 6 through 9.

Page 10, strike lines 1 through 3.

Renumber succeeding sections accordingly.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **HB17-1227** be referred to the Committee on Finance with favorable recommendation.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **HB17-1257** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SJM17-005** be postponed indefinitely.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SJR17-034** be postponed indefinitely.

MESSAGE FROM THE HOUSE

April 26, 2017

Mr. President:

The House has adopted and returns herewith SJR17-038.

MESSAGE FROM THE REVISOR OF STATUTES

April 26, 2017

We herewith transmit:

Without comment, HB17-1317.
Without comment, as amended, HB17-1276, 1284, 1285, 1296, 1302, 1306, 1331, and 1336.
With comment, as amended, HB17-1320.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB17-300 by Senator(s) Lambert; also Representative(s) Kennedy--Concerning the authority of the commissioner of insurance to implement programs to address the rising costs of providing health care coverage to high-risk individuals in the state.
Health & Human Services

SB17-301 by Senator(s) Scott; --Concerning energy-related statutes.
Agriculture, Natural Resources, & Energy

SB17-302 by Senator(s) Coram; --Concerning a clarification of the exemption from property tax of silvicultural equipment.
Finance

HB17-1274 by Representative(s) Ginal; also Senator(s) Baumgardner--Concerning the limited circumstances under which a veterinarian may use a compounded pharmaceutical drug for the treatment of an animal patient that is a food animal.
State, Veterans, & Military Affairs

HB17-1284 by Representative(s) Lontine; also Senator(s) Aguilar and Gardner--Concerning protecting at-risk adults from mistreatment by establishing a check of the Colorado adult protective services data system for persons employed to provide direct care to at-risk adults, and, in connection therewith, making an appropriation.
Judiciary

HB17-1285 by Representative(s) Mitsch Bush and Lawrence; also Senator(s) Cooke and Jahn--Concerning the financing of the water pollution control program, and, in connection therewith, making and reducing appropriations.
Health & Human Services

HB17-1293 by Representative(s) Melton; also Senator(s) Todd--Concerning the ability of a local government official to serve on a nonprofit entity's board of directors.
Local Government

HB17-1296 by Representative(s) Nordberg and Kraft-Tharp, Saine, Winter; also Senator(s) Smallwood and Jahn, Donovan, Neville T.--Concerning the assignment of state-owned motor vehicles, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB17-1302 by Representative(s) Lee and Willett; also Senator(s) Gardner and Fields--Concerning matters related to sexually explicit images of a juvenile, and, in connection therewith, requiring a post-enactment review of the implementation of this act.
Judiciary

HB17-1306 by Representative(s) McLachlan and Exum; also Senator(s) Coram--Concerning the financing of testing for lead in public schools' drinking water, and, in connection therewith, making an appropriation.
Health & Human Services

HB17-1317 by Representative(s) Esgar and Hansen; also Senator(s) Baumgardner and Kefalas--Concerning the authority of the state historical society to dispose of real property located on the former Lowry Air Force base.
Finance

HB17-1320 by Representative(s) Michaelson Jenet; also Senator(s) Coram and Fenberg--Concerning lowering the age of consent for minors seeking outpatient psychotherapy.
State, Veterans, & Military Affairs

HB17-1331 by Representative(s) Lebsock; also Senator(s) Neville T.--Concerning protecting Colorado citizens who are engaged in an act that is protected by the Colorado constitution from outside agencies.
Judiciary

HB17-1336 by Representative(s) Foote and Young; also Senator(s) Jones and Aguilar--Concerning additional protections for oil and gas interest owners subject to pooling of oil and gas resources.
State, Veterans, & Military Affairs

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-153, 223, 224, 226, 227, 245, 247, 256, 262 and 268.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, April 26, 2017, at 4:45 p.m.:
SB17-223, 224, 226, 227, 247, and 268.

TRIBUTES

Honoring:

Karolin Luger, Professor of Philosophy, University of Colorado, Boulder -- By Senator Steve Fenberg.
Alison Jaggar, Professor of Philosophy, University of Colorado, Boulder -- By Senator Steve Fenberg.
Cody Oser -- By Senator Vicki Marble and Representative Matt Gray.
Daniel A. Barnes -- By Senator Kerry Donovan.
Bill and Marilyn Samuels -- By Senator Leroy Garcia.
Regina and John Panepinto -- By Senator Leroy Garcia.
Cañon City Police Department -- By President Kevin J. Grantham.
Dr. John Straayer -- By Senator Matt Jones.
Juanita Santistevan -- By Senator Leroy Garcia.
AVID (Advancement Via Individual Determination) -- By Senator Nancy Todd.

Journal correction (regarding Transportation committee report on HB17-1206):

Page 928, strike lines 13 and 14.

Renumber succeeding lines accordingly.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, April 26, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

107th Legislative Day Thursday, April 27, 2017

Prayer — By the chaplain, Randle Loeb, Community Minister, Denver.

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 Donovan.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Wednesday, April 26, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1299** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1290** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1087** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 10, line 9, after "GUARDIANSHIP" insert "OR A NONPROFIT AGENCY".

Page 10, line 11, strike "AND".

Page 10, line 14, strike "ADULT." and substitute "ADULT; AND".

Page 10, after line 14 insert:

"(h) ASSESS FUNDING MODELS AND VIABLE FUNDING SOURCES FOR AN INDEPENDENT OFFICE OF PUBLIC GUARDIANSHIP OR A NONPROFIT AGENCY, INCLUDING THE POSSIBILITY OF FUNDING WITH A STATEWIDE INCREASE IN PROBATE COURT FILING FEES.".

Judiciary — After consideration on the merits, the Committee recommends that **SB17-294** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 65, after line 8, insert:

"**SECTION 115.** In Colorado Revised Statutes, 12-42.5-102, **amend** (42)(b)(XII) as follows:

12-42.5-102. Definitions. (42) (b) "Wholesale distribution" does not include:

(XII) The sale or transfer of compounded drugs compounded by a retail pharmacy as defined in subsection (7) of this section and as authorized by section ~~12-42.5-119 (6) (b)~~ 12-42.5-118 (6)(b);

SECTION 116. In Colorado Revised Statutes, 12-43.3-306, **amend** (1) as follows:

12-43.3-306. Denial of application. (1) The state licensing authority shall deny a state license if the premises on which the applicant proposes to conduct its business does not meet the requirements of this article or for reasons set forth in section ~~12-43.3-104 (1)(c)~~ 12-43.3-104 (1.3)(c) or 12-43.3-305, and the state licensing authority may deny a license for good cause as defined by section ~~12-43.3-104 (1)(a) or (1)(b)~~ 12-43.3-104 (1.3)(a) OR (1.3)(b).

SECTION 117. In Colorado Revised Statutes, 6-23-102, **amend as added by House Bill 17-1115,** (2) as follows:

6-23-102. Direct primary care - not regulated by the division of insurance. (2) Direct primary care providers and direct primary care agreements that comply with this ~~article 1~~ ARTICLE 23 shall not be considered to be a health maintenance organization, insurer, insurance producer, or insurance and are not subject to title 10.

SECTION 118. In Colorado Revised Statutes, 43-4-1001, **amend as repealed and reenacted by Senate Bill 17-153** (2)(a)(II) introductory portion, as follows:

43-4-1001. Southwest chief and front range passenger rail service in Colorado - commission - membership and powers - definitions. (2) (a) The southwest chief and front range passenger rail commission is created in the department of transportation. The commission shall exercise its powers and perform its duties as if the same were transferred to the department by a **type 1** transfer, as defined in section 24-1-105. The commission consists of the following eleven commissioners:

(II) One commissioner from each of the following metropolitan planning organizations, as defined in section 43-1-1102 (4), and regional planning commissions, as defined in section ~~43-4-1102 (5)~~ 43-1-1102 (5), appointed by the governing body of each organization or commission:

SECTION 119. In Colorado Revised Statutes, 39-22-538, **amend** (2)(e) as follows:

39-22-538. Credit for health care preceptors working in health professional shortage areas - legislative declaration - definitions - repeal. (2) As used in this section, unless the context otherwise requires:

(e) "Preceptorship" means an uncompensated mentoring experience in which a preceptor provides a program of personalized instruction, training, and supervision for a total of not less than four weeks per calendar year that is offered to ~~an~~ eligible graduate ~~student~~ STUDENTS to enable the ~~student~~ STUDENTS to obtain ~~an~~ eligible professional ~~degree~~ DEGREES.

SECTION 120. (1) Except as otherwise provided in this section, this act takes effect upon passage.

(2) Section 117 of this act takes effect only if House Bill 17-1115 becomes law, in which case this section takes effect upon the effective date of House Bill 17-1115.

(3) Section 118 of this act takes effect only if Senate Bill 17-153 becomes law, in which case this section takes effect upon the effective date of Senate Bill 17-153.".

Renumber succeeding section accordingly.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-298** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 9, strike "FIFTEEN" and substitute "TEN".

Page 3, line 19, strike "FIFTEEN" and substitute "TEN".

Page 4, line 22, strike "FOLLOWING:" and substitute "FOLLOWING IF THE EXERCISE OF THE CONTRACTUAL RIGHT WOULD STOP THE TRANSFER OF THE MOTOR VEHICLE DEALER OWNERSHIP FROM AN OWNER TO AN IMMEDIATE FAMILY MEMBER OF THE OWNER:".

Page 5, line 11, strike "SEVEN" and substitute "THIRTY".

Page 5, strike lines 14 through 16 and substitute:

"(B) COMPENSATES THE MOTOR VEHICLE DEALER FOR ANY AFFECTED USED MOTOR VEHICLES AT A RATE OF AT LEAST FIFTEEN TENTHS OF ONE PERCENT PER MONTH, PRORATED FOR ANY PARTIAL MONTH, OF THE".

Page 6, line 18, strike "(3)(b);" and substitute "(3)(b)(II);".

Page 7, strike lines 15 and 16.

Page 7, line 17, strike "~~five~~ FIFTEEN" and substitute "~~five~~ TEN".

Page 7, strike line 23 and substitute "DEALER.".

Page 7, strike lines 24 and 25.

Page 15, strike lines 4 and 5 and substitute:

"to the board by filing a complaint with:

(a) The executive director; OR

(b) A DISTRICT COURT IF BOTH THE EXECUTIVE DIRECTOR AND THE ADMINISTRATIVE LAW JUDGE APPOINTED IN ACCORDANCE WITH THIS SECTION DO NOT HOLD A HEARING CONCERNING THE COMPLAINT WITHIN FORTY-FIVE DAYS AFTER THE COMPLAINT WAS FILED.".

Page 16, line 19, strike "A MOTOR VEHICLE DEALER THAT PREVAILS IN A CLAIM THAT A" and substitute "THE PREVAILING PARTY IN A CLAIM THAT A".

Page 16, strike lines 24 through 27.

Strike pages 17 through 25.

Page 26, strike lines 1 through 22.

Renumber succeeding section accordingly.

Business, Labor, & Technology

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
BOARD OF ASSESSMENT APPEALS

for terms expiring July 1, 2017:

Sondra Winterhof Mercier of Westminster, Colorado, reappointed;

MaryKay Kelley of Silverthorne, Colorado, reappointed;

Ann Louesa Maricle of Denver, Colorado reappointed;

Gregg Allan Near of Lakewood, Colorado, reappointed;

Amy J. Williams, MAI of Hayden, Colorado, a member engaged in agriculture, reappointed.

Business, Labor, & Technology

The Committee on Business, Labor, & Technology 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
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for a term expiring December 13, 2019:

Edward Dean Davis of Centennial, Colorado, representing employers with good risk management experience with respect to their workers' compensation insurance, and as a Democrat, reappointed.

Appropriations

After consideration on the merits, the Committee recommends that **HB17-1292** 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 **SB17-297** 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 15, strike lines 9 through 18 and substitute:

"**SECTION 22. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

SENATE SERVICES REPORT

Correctly Printed: SB17-300, 301, and 302.
Correctly Engrossed: SB17-253 and 293; SJR17-038 and 042; SM17-002.
Correctly Reengrossed: SB17-271, 289, and 291.
Correctly Revised: HB17-1228 and 1316.
Correctly Rerevised: HB17-1004 and 1190.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-032 by Senator(s) Kerr, Court, Guzman, Jahn, Merrifield, Williams A.; also Representative(s) Danielson--Concerning the recognition of Colorado workers who died on the job, and, in connection therewith, commemorating the twenty-eighth anniversary of workers' memorial day on April 28, 2017.

On motion of Senator Kerr, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Hill, Holbert, Kagan, Kefalas, Lambert, Lundberg, Marble, Martinez Humenik, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, and Zenzinger.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1316 by Representative(s) Lontine; also Senator(s) Marble--Concerning delaying the implementation of House Bill 16-1309.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gardner and Moreno.

SB17-293 by Senator(s) Kagan, Cooke, Gardner, Guzman, Holbert; also Representative(s) Lee, Foote, Herod, Willett, Wist--Concerning updating the reference to a national standard setting forth certain specifications applicable to the type of paper used to publish the Colorado Revised Statutes.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Hill, Jahn, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

HB17-1228 by Representative(s) Pabon and Landgraf; also Senator(s) Priola--Concerning licensing exemptions related to pet animal facilities, including those utilizing technology in their business models.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jahn, Kefalas, Tate, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB17-253 by Senator(s) Marble and Guzman; also Representative(s) Garnett and McKean--Concerning increasing the authority for certain providers of alcohol beverages to provide beverages to customers from approved sales rooms.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	Y	Marble	Y	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	N
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Kagan, Moreno, and Todd.

RECONSIDERATION OF HB17-1228

HB17-1228 by Representative(s) Pabon and Landgraf; also Senator(s) Priola--Concerning licensing exemptions related to pet animal facilities, including those utilizing technology in their business models.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage--Consent Calendar, on **HB17-1228**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR (cont'd)

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1228 by Representative(s) Pabon and Landgraf; also Senator(s) Priola--Concerning licensing exemptions related to pet animal facilities, including those utilizing technology in their business models.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Kerr, and Moreno.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-295 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning revisions to state agency reports concerning fraud in the medicaid program.

Ordered removed from the General Orders--Second Reading of Bills--Consent Calendar of Thursday, April 27, 2017, and laid over to the end of the General Orders--Second Reading of Bills Calendar of Friday, April 28, 2017.

SB17-292 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young--Concerning the creation of the employment opportunities with wages program for qualifying Colorado works basic cash assistance recipients, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 25, page 917 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1298 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning the date by which the state personnel director is required to submit the annual compensation report.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1295 by Representative(s) Rankin, Hamner, Young; also Senator(s) Moreno, Lambert, Lundberg--Concerning the repeal of the governor's office of marijuana coordination.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1283 by Representative(s) Singer and Nordberg, Beckman, Covarrubias, Esgar, Herod, Kraft-Tharp, Landgraf, Lawrence, Liston, Lundeen, Michaelson Jenet, Navarro, Pabon, Rankin, Thurlow, Van Winkle, Williams D., Wist, Young; also Senator(s) Garcia and Cooke, Court, Aguilar, Fenberg, Jahn, Kefalas, Kerr, Martinez Humenik, Priola, Todd--Concerning the creation of a task force to examine workforce resiliency in the child welfare system.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-292 as amended, HB17-1298, HB17-1295, HB17-1283. Laid over to the end of the General Orders -- Second Reading of Bills calendar, Friday, April 28: SB17-295.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1249 by Representative(s) Melton; also Senator(s) Tate--Concerning the unlicensed selling of motor vehicles, and, in connection therewith, making an appropriation.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 18, page(s) 826-827 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB17-280 by Senator(s) Tate; also Representative(s) Kraft-Tharp and Thurlow, Hamner--Concerning extending the repeal date of the Colorado economic development commission.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 25, page(s) 925-926 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1297 by Representative(s) Gray; also Senator(s) Gardner--Concerning meetings for which a special district director may be compensated for attending.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1207 by Representative(s) Lee, Arndt, Beckman, Buckner, Coleman, Exum, Herod, Hooton, Lawrence, Melton, Michaelson Jenet, Pabon, Pettersen, Salazar, Singer, Weissman; also Senator(s) Priola--Concerning the requirement for the department of human services to place a juvenile who is ten years of age and older but less than thirteen years of age in a detention facility unless the juvenile is charged with a serious offense, and, in connection therewith, reducing an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 20, page(s) 873-874 and placed in members' bill files.)

Amendment No. 2(L.011), by Senator Priola.

Amend the reengrossed bill, page 4, lines 7 and 8, strike "A REASONABLE EFFORT, AS DEFINED IN SECTION 19-1-103 (89)," and substitute "EFFORTS".

Amend the Health & Human Services Committee Report, dated April 19, 2017, page 1, line 16, strike "THE".

Page 1, line 17, strike "PLACEMENT IN A" and substitute "PLACEMENT.".

Page 1, strike line 18.

Page 5 of the bill, lines 22 and 23, strike "MAKING A REASONABLE EFFORT, AS DEFINED IN SECTION 19-1-103 (89)," and substitute "ENSURING EFFORTS ARE MADE".

Page 2 of the report, line 36, strike "PLACEMENT IN A FOSTER CARE" and substitute "PLACEMENT.".

Page 2, strike line 37.

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 Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-280 as amended, HB17-1249 as amended, HB17-1297, HB17-1207 as amended.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for a term expiring September 1, 2019:

Tammy Ann Hitchens of Westminster, Colorado, to serve as a representative of Colorado municipal employers, and occasioned by the resignation of Manuel Albert Esquibel of Brighton, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
ADVISORY COMMITTEE TO THE PROPERTY
TAX ADMINISTRATOR

for a term expiring September 1, 2018:

Keith Alan Erffmeyer of Aurora, Colorado, to serve as an assessor from a county with a population over 75,000 and as a Republican, and occasioned by the resignation of Corbin Sakdol of Littleton, Colorado, appointed.

for terms expiring September 1, 2020:

Mark Douglas Chapin of Eagle, Colorado, to serve as an assessor from a county with a population under 75,000 and as a Democrat, reappointed;

Robyn A. Kashiwa Truby of Denver, Colorado, to serve as a non-assessor from a county with a population over 75,000, as the Chair of the Committee and as a Democrat, reappointed;

Philip Brent Vaughan of Rifle, Colorado, to serve as a non-assessor from the Western Slope and as a Republican, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MESSAGE FROM THE HOUSE

April 27, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1248.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1340, amended as printed in House Journal, April 26, 2017.
HB17-1139, amended as printed in House Journal, April 26, 2017.
HB17-1275, amended as printed in House Journal, April 26, 2017.

The House has passed on Third Reading and returns herewith SB17-218, 221, 239, 217, 219.

The House has adopted and transmits herewith HJR17-1029, as printed in House Journal, April 27, 2017.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Finance — After consideration on the merits, the Committee recommends that **SB17-299** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, strike lines 7 through 23.

Page 3, strike lines 1 through 9.

Reletter succeeding paragraphs accordingly.

Page 4, strike lines 2 through 4.

Page 4, line 6, strike "JANUARY" and substitute "JULY".

Page 4, line 11, strike "JANUARY" and substitute "JULY".

Finance — After consideration on the merits, the Committee recommends that **HB17-1265** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB17-1250** be referred to the Committee on Appropriations with favorable recommendation.

Education — The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM

for terms expiring December 31, 2020:

Kimberley Beth Jordan of Fort Collins, Colorado, a Larimer County resident and a Democrat, appointed;

William Dean Singleton of Denver, Colorado, to serve as an Unaffiliated, reappointed.

Education After consideration on the merits, the Committee recommends that **HB17-1211** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

April 27, 2017

Mr. President:

The House has adopted and returns herewith SJR17-036, 032.

The House has postponed indefinitely SB17-002, 116, 204. The bills are returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

April 27, 2017

We herewith transmit:

Without comment, HB17-1248.
Without comment, as amended, HB17-1139, 1275, and 1340.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR17-1029 by Representative(s) Becker K., Hansen, Winter; also Senator(s) Sonnenberg, Priola, Moreno--Concerning the designation of Interstate Highway 76 as the "Colorado Pollinator Highway".

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:

SB17-303 by Senator(s) Neville T. and Cooke, Gardner, Holbert, Marble, Priola, Scott, Tate; also Representative(s) Neville P. and Wist, Buck, Carver, Everett, Humphrey, Leonard, McKean, Navarro, Nordberg, Ransom, Saine, Van Winkle, Wilson--Concerning the funding of the state highway system.
Finance

HB17-1139 by Representative(s) Landgraf and Michaelson Jenet; also Senator(s) Martinez Humenik and Kefalas--Concerning improving medicaid client protections through effective enforcement of medicaid provider requirements.
State, Veterans, & Military Affairs

HB17-1248 by Representative(s) Arndt; also Senator(s) Cooke--Concerning the funding of Colorado water conservation board projects, and, in connection therewith, making appropriations.
Finance

HB17-1275 by Representative(s) Winter; also Senator(s) Priola--Concerning additional measures to increase waste diversion, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB17-1276 by Representative(s) Lontine; also Senator(s) Fields and Gardner--Concerning prohibiting the use of certain restraints upon public school students, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB17-1340 by Representative(s) Lundeen and Garnett; also Senator(s) Hill and Moreno--Concerning creation of a legislative interim committee to study school finance issues, and, in connection therewith, making an appropriation.
Legislative Council
Finance

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB17-1150, 1158, 1172, 1177, 1203, 1205, 1213, 1217, 1233, 1241, 1272, and 1316.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, April 27, 2017, at 11:30 a.m.:
SB17-256, 261, 262, 263, 265, and 266.

Journal correction:

Page 940, line 44, strike "HB17-1277", and insert "HB17-1227".

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, April 28, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

108th Legislative Day Friday, April 28, 2017

Prayer — By the chaplain, Rabbi Yisroel Wilhelm, Chabad of CU Boulder.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--32
Absent--2, Kerr, Moreno.
Excused--1, Priola.
Present later--3, Kerr, Moreno, Priola.

Quorum — The President announced a quorum present.

Pledge — By Senator Donovan.

Reading of the Journal — On motion of Senator Tate, reading of the Journal of Thursday, April 27, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO WILDLIFE HABITAT STAMP COMMITTEE

for a term expiring December 31, 2019:

Andrew Christian Treharne of Denver, Colorado, to serve as a sportsperson, and occasioned by the resignation of Kyle Miller of Denver, Colorado, appointed.

for terms expiring December 31, 2020:

John Douglas Wellman of Hamilton, Colorado, a landowner actively engaged in agriculture, appointed;

John H. Thatcher of Pueblo, Colorado, a landowner actively engaged in agriculture, reappointed.

Agriculture, Natural Resources, & Energy — The Committee on Agriculture, Natural Resources, & Energy 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 WATER CONSERVATION BOARD

for a term expiring February 12, 2018:

James Thomas Yahn of Sterling, Colorado, to serve as a representative of the South Platte drainage basin and as a Republican, and occasioned by the death of Phyllis "Diane" Hoppe of Broomfield, Colorado, appointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
OIL AND GAS CONSERVATION COMMISSION

for terms expiring July 1, 2020:

Ashley Lowe Ager of Durango, Colorado to serve as a member with formal training or substantial experience in soil conservation or reclamation, west of the Continental Divide and as a Democrat, appointed;

Kent Jolley of Glenwood Springs, Colorado, to serve as a member actively engaged in agricultural production, as a royalty owner, west of the Continental Divide and as a Republican, appointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
MINED LAND RECLAMATION BOARD

effective March 1, 2017 for terms expiring March 1, 2021:

Forrest Von Luke of Craig, Colorado, an individual with substantial experience in the mining industry, reappointed;

Jill Heeringa Van Noord of Boulder, Colorado, an individual with substantial experience in conservation, reappointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
ENERGY IMPACT ASSISTANCE ADVISORY COMMITTEE

for terms expiring August 24, 2020:

Maryjo Marie Downey of Fort Collins, Colorado, reappointed;

Honorable Cari Hermacinski of Steamboat Springs, Colorado, appointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
GROUND WATER COMMISSION

for a term expiring May 1, 2020:

James M. Noble of Denver, Colorado, to serve as a representative of municipal or industrial users, and occasioned by the resignation of Eric Hecox of Denver, Colorado, appointed.

Angela Beth Fowler of Glenwood Springs, Colorado, to serve as a representative of western slope municipal or industrial users, appointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO STATE FAIR AUTHORITY BOARD OF COMMISSIONERS

for terms expiring November 1, 2020:

Ralph Paul Youngs of Steamboat Springs, Colorado, an Unaffiliated residing in the Third Congressional District, appointed;

Virginia "Ginny" Vietti of Frisco, Colorado, a Democrat residing in the Second Congressional District, reappointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy 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 ENERGY RESEARCH AUTHORITY

for a term expiring July 1, 2019:

Kathleen Booth Staks of Lakewood, Colorado, and occasioned by the resignation of Jeffrey Paul Ackermann of Denver, Colorado, appointed.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB17-1282** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, strike lines 18 through 20 and substitute "**program - creation - purpose.** THE COUNCIL SHALL ADMINISTER THE".

Page 13, line 7, after "(1)" insert "(a)".

Page 13, strike line 9 and substitute ""FUND", IS HEREBY CREATED IN THE STATE TREASURY.

(b) ON JULY 1, 2017, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED FORTY THOUSAND DOLLARS FROM THE GENERAL FUND TO THE FUND.

(c) THE FUND ALSO".

Page 13, line 11, after "ANY" insert "ADDITIONAL".

Page 14, strike lines 14 through 16 and insert:

"**SECTION 2. Act subject to petition - effective date - applicability.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB17-1291** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SJR17-033** be referred to the Committee on State, Veterans, & Military Affairs with favorable recommendation.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO CHILDREN'S TRUST FUND BOARD

for a term expiring November 7, 2017:

Deborah J. Kenny, PhD, RN, FAAN of Larkspur, Colorado, to serve as a member with knowledge of child abuse prevention, and occasioned by the resignation of Gregory Jackson Tung, PhD, MPH of Denver, Colorado, appointed;

for a term expiring November 7, 2019:

Lisa A. Merlino Hill of Broomfield, Colorado, to serve as a member with knowledge of child abuse prevention, reappointed.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
STATE BOARD OF HEALTH

for a term expiring March 1, 2019:

Evelinn A. Borrayo, PhD of Fort Collins, Colorado, a resident of the 2nd Congressional District and a Democrat, and occasioned by the resignation of Janelle Katherine Orsborn of Broomfield, Colorado, appointed.

for terms expiring March 1, 2021:

Matthew VanAuken of Colorado Springs, Colorado, a resident of the Fifth Congressional District and as an Unaffiliated, reappointed;

Michael Anthony Cappello of Brush, Colorado, a resident of the Fourth Congressional District and as a Republican, reappointed;

Shawn M. Turk of Centennial, Colorado, a resident of the Sixth Congressional District and as a Democrat, appointed;

Patricia Jane Hammon, RN of Eagle, Colorado, a resident of the Third Congressional District and as a Democrat, appointed;

Lew Gaiter, III of Livermore, Colorado, a resident of the Second Congressional District and a Republican, to serve an an at-large member and county commissioner, appointed.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO HEALTH FACILITIES AUTHORITY BOARD OF DIRECTORS

for terms expiring June 30, 2020:

Beverly Kay Sloan of Denver, Colorado, a Democrat, appointed;

Don Willis Marostica of Loveland, Colorado, a Republican, reappointed.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD

for a term expiring May 15, 2019:

Kimberly Gaye Monjesky of Woodland Park, Colorado, an employee of a rural hospital in Colorado, and occasioned by the resignation of John Robert Gardner, FACHE of Yuma, Colorado, appointed.

for terms expiring May 15, 2020

Dan E. Enderson of Castle Rock, Colorado, an employee of a hospital in Colorado, reappointed; and

George Montgomery O'Brien of Pueblo, Colorado, a person with a disability, who is living with a disability, and who is not a representative or an employee of a hospital, health insurance carrier, or other health care industry entity, reappointed.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1285** be referred to the Committee on Finance with favorable recommendation.

Education

After consideration on the merits, the Committee recommends that **SB17-296** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 3, strike "portion and (5)(g)(I)(G);" and substitute "portion;".

Page 2, strike lines 21 through 27.

Page 3, strike lines 1 through 9.

Page 3, lines 13 and 14, strike "FIVE HUNDRED EIGHTY-FIVE MILLION EIGHT HUNDRED THOUSAND" and substitute "SIX HUNDRED THIRTY-FOUR MILLION SIX HUNDRED THOUSAND".

Page 3, line 15 strike "($6,585,800,182);" and substitute "($6,634,600,182);".

page 3, after line 22 insert:

"**SECTION 2.** In Colorado Revised Statutes, **add** 22-30.5-112.4 as follows:

22-30.5-112.4. Charter schools - mill levy revenues - equalization - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ADDITIONAL MILL LEVY" MEANS THE NUMBER OF MILLS THAT A SCHOOL DISTRICT LEVIES THAT ARE IN ADDITION TO THE SCHOOL DISTRICT'S TOTAL PROGRAM MILL LEVY ESTABLISHED IN SECTION 22-54-106 (2), NOT INCLUDING MILLS THAT A SCHOOL DISTRICT MAY LEVY UNDER SECTION 22-40-110 OR ARTICLE 42 OR 43 OF THIS TITLE 22, AND THAT ARE AUTHORIZED BY VOTERS BEFORE, ON, OR AFTER THE EFFECTIVE DATE OF THIS SECTION.

(b) "PER PUPIL MILL LEVY SHARE" MEANS AN AMOUNT EQUAL TO THE REVENUE THAT A SCHOOL DISTRICT COLLECTS FROM ITS ADDITIONAL MILL LEVY FOR THE APPLICABLE BUDGET YEAR DIVIDED BY THE SCHOOL DISTRICT'S FUNDED PUPIL COUNT AS DEFINED IN SECTION 22-54-103 FOR THE APPLICABLE BUDGET YEAR.

(c) "RESTRICTED REVENUE" MEANS REVENUE THAT A SCHOOL DISTRICT COLLECTS FROM ITS ADDITIONAL MILL LEVY, THE USE OF WHICH IS RESTRICTED BY VOTERS TO A SPECIFIC PROGRAM, TO STUDENTS ENROLLED IN A SPECIFIC GRADE LEVEL, OR TO THE TERMS OF AN

AGREEMENT BETWEEN A THIRD PARTY AND THE SCHOOL DISTRICT THAT GOVERNS THE USE OF THE REVENUE AND THAT EXISTED BEFORE THE EFFECTIVE DATE OF THIS SECTION.

(2) (a) SUBJECT TO THE PROVISIONS OF SUBSECTIONS (4) AND (5) OF THIS SECTION, EACH SCHOOL DISTRICT THAT AUTHORIZES A CHARTER SCHOOL SHALL DISTRIBUTE TO THE CHARTER SCHOOL AT LEAST ONE HUNDRED PERCENT OF AN AMOUNT EQUAL TO THE SCHOOL DISTRICT'S PER PUPIL MILL LEVY SHARE FOR THE APPLICABLE BUDGET YEAR MULTIPLIED BY THE NUMBER OF PUPILS, INCLUDING PRESCHOOL PROGRAM PUPILS, ENROLLED IN THE CHARTER SCHOOL FOR THE APPLICABLE BUDGET YEAR, AS REPORTED TO THE DEPARTMENT FOR THE APPLICABLE BUDGET YEAR PURSUANT TO SECTION 22-30.5-112 (1)(a). IN COUNTING THE NUMBER OF PUPILS ENROLLED IN THE CHARTER SCHOOL, THE SCHOOL DISTRICT SHALL COUNT A PUPIL ENROLLED IN KINDERGARTEN OR IN A PRESCHOOL PROGRAM AS AT LEAST A HALF-DAY PUPIL AND MAY, AT THE SCHOOL DISTRICT'S DISCRETION, COUNT A PUPIL WHO IS INCLUDED IN THE SCHOOL DISTRICT'S ONLINE PUPIL ENROLLMENT, AS DEFINED IN SECTION 22-54-103.

(b) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2)(a) OF THIS SECTION TO THE CONTRARY, IN CALCULATING THE AMOUNT DUE TO A CHARTER SCHOOL UNDER SUBSECTION (2)(a) OF THIS SECTION, A SCHOOL DISTRICT MAY SUBTRACT FROM THE AMOUNT DUE TO THE CHARTER SCHOOL ANY PORTION THAT IS RESTRICTED REVENUE IF THE CHARTER SCHOOL, DURING THE APPLICABLE BUDGET YEAR, CLEARLY DOES NOT PROVIDE THE SPECIFIC PROGRAM FOR WHICH THE RESTRICTED REVENUE IS AUTHORIZED BY VOTERS OR IF THE CHARTER SCHOOL, DURING THE APPLICABLE BUDGET YEAR, DOES NOT SERVE STUDENTS ENROLLED IN THE GRADE LEVEL FOR WHICH THE RESTRICTED REVENUE IS AUTHORIZED BY VOTERS.

(c) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2)(a) OF THIS SECTION TO THE CONTRARY, IN CALCULATING THE AMOUNT DUE TO A CHARTER SCHOOL UNDER SUBSECTION (2)(a) OF THIS SECTION, A SCHOOL DISTRICT MAY SUBTRACT FROM THE AMOUNT DUE TO THE CHARTER SCHOOL ANY PORTION THAT IS RESTRICTED REVENUE BECAUSE IT IS SUBJECT TO A THIRD-PARTY AGREEMENT THAT EXISTED BEFORE THE EFFECTIVE DATE OF THIS SECTION; EXCEPT THAT, IF THE THIRD PARTY AND THE SCHOOL DISTRICT AMEND THE TERMS OF THE AGREEMENT TO ALLOW DISTRIBUTION OF THE REVENUE TO A CHARTER SCHOOL, THE REVENUE CEASES TO BE RESTRICTED REVENUE AND THE SCHOOL DISTRICT SHALL DISTRIBUTE THE REVENUE TO A CHARTER SCHOOL IN ACCORDANCE WITH SUBSECTION (2)(a) OF THIS SECTION.

(d) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2)(a) OF THIS SECTION TO THE CONTRARY, IF A LOCAL SCHOOL BOARD HAS IN PLACE OR ADOPTS A WRITTEN POLICY THAT DIRECTS THE SCHOOL DISTRICT TO DISTRIBUTE ANY PORTION OF ITS ADDITIONAL MILL LEVY REVENUE TO SPECIFICALLY BENEFIT STUDENTS ENROLLED IN ALTERNATIVE EDUCATION CAMPUSES; STUDENTS WHO QUALIFY FOR FREE OR REDUCED-PRICE MEALS UNDER THE FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.; STUDENTS WHO ARE IDENTIFIED AS ENGLISH LANGUAGE LEARNERS UNDER SECTION 22-24-105; OR STUDENTS WHO HAVE INDIVIDUALIZED EDUCATION PROGRAMS UNDER PART 1 OF ARTICLE 20 OF THIS TITLE 22, THE SCHOOL DISTRICT MAY CONTINUE DISTRIBUTING THE REVENUE FOR THESE PURPOSES, SO LONG AS THE AMOUNT DISTRIBUTED FOR EACH STUDENT IS THE SAME REGARDLESS OF WHETHER THE STUDENT IS ENROLLED IN A CHARTER SCHOOL OR ANOTHER SCHOOL OF THE SCHOOL DISTRICT. THE SCHOOL DISTRICT SHALL DISTRIBUTE ANY AMOUNT OF ADDITIONAL MILL LEVY REVENUE THAT REMAINS AFTER DISTRIBUTION FOR THESE PURPOSES IN ACCORDANCE WITH SUBSECTION (2)(a) OF THIS SECTION.

(e) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2)(a) OF THIS SECTION TO THE CONTRARY, IF A SCHOOL DISTRICT AUTHORIZES A CHARTER SCHOOL THAT IS PHYSICALLY LOCATED WITHIN THE GEOGRAPHIC BOUNDARIES OF ANOTHER SCHOOL DISTRICT, THE CHARTERING SCHOOL DISTRICT IS REQUIRED TO DISTRIBUTE TO THE CHARTER SCHOOL AN AMOUNT EQUAL TO THE PER PUPIL MILL LEVY SHARE MULTIPLIED ONLY BY THE NUMBER OF STUDENTS ENROLLED IN THE CHARTER SCHOOL WHO RESIDE WITHIN THE AUTHORIZING SCHOOL DISTRICT, WHICH AMOUNT MAY BE ADJUSTED AS PROVIDED IN SUBSECTIONS (2)(b) TO (2)(d) OF THIS SECTION, AS APPROPRIATE. THE

AUTHORIZING SCHOOL DISTRICT MAY CHOOSE TO DISTRIBUTE A GREATER PORTION OF THE ADDITIONAL MILL LEVY REVENUE TO THE CHARTER SCHOOL.

(f) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2)(a) OF THIS SECTION TO THE CONTRARY, IF, BEFORE DECEMBER 31, 2016, A LOCAL SCHOOL BOARD ADOPTS A WRITTEN POLICY OR RESOLUTION THAT EXPLICITLY DIRECTS THE SCHOOL DISTRICT TO DISTRIBUTE AN IDENTIFIED AMOUNT OF THE REVENUE FROM THE SCHOOL DISTRICT'S ADDITIONAL MILL LEVY FOR USE IN CONSTRUCTING OR MAINTAINING ONE OR MORE BUILDINGS IDENTIFIED IN THE WRITTEN POLICY OR RESOLUTION, THE SCHOOL DISTRICT MAY CONTINUE DISTRIBUTING THE IDENTIFIED REVENUE AMOUNT IN ACCORDANCE WITH THE WRITTEN POLICY.

(g) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2)(a) OF THIS SECTION TO THE CONTRARY, IF A SCHOOL DISTRICT OBTAINED VOTER APPROVAL FOR A BALLOT MEASURE FOR AN ADDITIONAL MILL LEVY BEFORE THE EFFECTIVE DATE OF THIS SECTION AND THE BALLOT QUESTION SPECIFICALLY ALLOTTED A PORTION OF THE ADDITIONAL MILL LEVY REVENUES TO ONE OR MORE CAPITAL IMPROVEMENT PROJECTS, THE SCHOOL DISTRICT IS NOT REQUIRED TO DISTRIBUTE TO THE CHARTER SCHOOL ANY PORTION OF THE AMOUNT OF ADDITIONAL MILL LEVY REVENUES ALLOCATED TO THE SPECIFIED CAPITAL IMPROVEMENT PROJECTS UNTIL THE SPECIFIED CAPITAL IMPROVEMENT PROJECTS ARE COMPLETED.

(3) THIS SECTION DOES NOT REQUIRE A SCHOOL DISTRICT TO RECALCULATE THE DISTRIBUTION OF, OR TO REDISTRIBUTE, ANY ADDITIONAL MILL LEVY REVENUE THAT THE SCHOOL DISTRICT COLLECTED BEFORE THE 2017-18 BUDGET YEAR.

(4) (a) BEGINNING IN THE 2018-19 BUDGET YEAR, EACH SCHOOL DISTRICT SHALL DISTRIBUTE THE PER PUPIL MILL LEVY SHARE TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION; EXCEPT THAT:

(I) FOR THE 2018-19 BUDGET YEAR, THE SCHOOL DISTRICT SHALL CALCULATE THE PER PUPIL MILL LEVY SHARE BASED ON AT LEAST THIRTY-THREE PERCENT OF THE ADDITIONAL MILL LEVY REVENUE IT COLLECTS FOR THE 2018-19 BUDGET YEAR;

(II) FOR THE 2019-20 BUDGET YEAR, THE SCHOOL DISTRICT SHALL CALCULATE THE PER PUPIL MILL LEVY SHARE BASED ON AT LEAST SIXTY-SIX PERCENT OF THE ADDITIONAL MILL LEVY REVENUE IT COLLECTS FOR THE 2019-20 BUDGET YEAR; AND

(III) FOR THE 2020-21 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, THE SCHOOL DISTRICT SHALL CALCULATE THE PER PUPIL MILL LEVY SHARE BASED ON ONE HUNDRED PERCENT OF THE ADDITIONAL MILL LEVY REVENUE IT COLLECTS FOR EACH APPLICABLE BUDGET YEAR.

(b) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (4)(a) OF THIS SECTION, IF, FOR THE 2016-17 BUDGET YEAR, A SCHOOL DISTRICT DISTRIBUTES TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT AN AMOUNT OF THE SCHOOL DISTRICT'S ADDITIONAL MILL LEVY REVENUE THAT IS GREATER THAN THE AMOUNT REQUIRED IN SUBSECTION (4)(a)(I) OF THIS SECTION FOR THE 2018-19 BUDGET YEAR, THE LOCAL SCHOOL BOARD SHALL DISTRIBUTE TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT FOR THE 2018-19 BUDGET YEAR AT LEAST THE AMOUNT DISTRIBUTED IN THE 2016-17 BUDGET YEAR, ALLOCATED AS PROVIDED IN SUBSECTION (2) OF THIS SECTION.

(c) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (4)(a) OF THIS SECTION, IF, FOR THE 2016-17 BUDGET YEAR, A SCHOOL DISTRICT DISTRIBUTES TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT AN AMOUNT OF THE SCHOOL DISTRICT'S ADDITIONAL MILL LEVY REVENUE THAT IS GREATER THAN THE AMOUNT REQUIRED IN SUBSECTION (4)(a)(II) OF THIS SECTION FOR THE 2019-20 BUDGET YEAR, THE LOCAL SCHOOL BOARD SHALL DISTRIBUTE TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT FOR THE 2019-20 BUDGET YEAR AT LEAST THE AMOUNT DISTRIBUTED IN THE 2016-17 BUDGET YEAR, ALLOCATED AS PROVIDED IN SUBSECTION (2) OF THIS SECTION.

(5) (a) A LOCAL SCHOOL BOARD MAY SUBMIT TO THE ELIGIBLE ELECTORS OF THE SCHOOL DISTRICT AT THE NEXT REGULAR SCHOOL DISTRICT ELECTION AFTER THE EFFECTIVE DATE OF THIS SECTION THE FOLLOWING BALLOT QUESTION: "SHALL THE SCHOOL DISTRICT BOARD OF EDUCATION FOR [NAME OF SCHOOL DISTRICT] USE THE PROPERTY TAX REVENUE COLLECTED FROM NON-DEBT-RELATED MILL LEVIES

AUTHORIZED BEFORE JULY 1, 2017, WITHOUT CHANGE TO ANY PURPOSE FOR WHICH SUCH REVENUE WAS ORIGINALLY AUTHORIZED BY THE VOTERS, TO SUPPORT THE STUDENTS ENROLLED IN THE PUBLIC SCHOOLS OF THE SCHOOL DISTRICT, INCLUDING THE CHARTER SCHOOLS AUTHORIZED BY THE SCHOOL DISTRICT, IN ACCORDANCE WITH SECTION 22-30.5-112.4, COLORADO REVISED STATUTES?".

(b) IF A MAJORITY OF THE PERSONS VOTING IN THE SCHOOL DISTRICT ELECTION VOTE "NO" ON THE BALLOT QUESTION SPECIFIED IN SUBSECTION (5)(a) OF THIS SECTION, NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE LOCAL SCHOOL BOARD MAY, BUT IS NOT REQUIRED TO, DISTRIBUTE A PORTION OF THE SCHOOL DISTRICT'S REVENUE FROM ADDITIONAL MILL LEVIES THAT WERE APPROVED BEFORE JULY 1, 2017, TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT AS THE LOCAL SCHOOL BOARD MAY PROVIDE.

(c) IF A MAJORITY OF THE PERSONS VOTING IN THE SCHOOL DISTRICT ELECTION VOTE "YES" ON THE BALLOT QUESTION SPECIFIED IN SUBSECTION (5)(a) OF THIS SECTION, THE LOCAL SCHOOL BOARD SHALL DISTRIBUTE A PORTION OF THE SCHOOL DISTRICT'S ADDITIONAL MILL LEVY REVENUE TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT IN ACCORDANCE WITH SUBSECTIONS (2) AND (4) OF THIS SECTION.

(d) EACH LOCAL SCHOOL BOARD SHALL DISTRIBUTE TO THE CHARTER SCHOOLS OF THE SCHOOL DISTRICT AS PROVIDED IN SUBSECTIONS (2) AND (4) OF THIS SECTION A PORTION OF THE REVENUE FROM ADDITIONAL MILL LEVIES APPROVED ON OR AFTER JULY 1, 2017, REGARDLESS OF WHETHER THE LOCAL SCHOOL BOARD SUBMITS A BALLOT QUESTION TO THE ELIGIBLE ELECTORS OF THE SCHOOL DISTRICT AT THE NEXT REGULAR SCHOOL DISTRICT ELECTION AFTER THE EFFECTIVE DATE OF THIS SECTION AS PROVIDED IN SUBSECTION (5)(a) OF THIS SECTION AND REGARDLESS OF THE OUTCOME OF THAT ELECTION.

SECTION 3. In Colorado Revised Statutes, **add** 22-30.5-513.1 as follows:

22-30.5-513.1. Mill levy equalization fund - created - legislative declaration. (1) THE GENERAL ASSEMBLY FINDS THAT SCHOOL DISTRICTS RECEIVE SIGNIFICANT OPERATING REVENUE FROM MILL LEVIES THAT ARE IN ADDITION TO THE SCHOOL DISTRICTS' TOTAL PROGRAM MILL LEVY. THIS ADDITIONAL REVENUE HELPS SCHOOL DISTRICTS OFFSET THE EFFECTS OF REVENUE REDUCTIONS IMPOSED PURSUANT TO SECTION 22-54-104 (5)(g). THE GENERAL ASSEMBLY FURTHER FINDS THAT INSTITUTE CHARTER SCHOOLS DO NOT HAVE ACCESS TO ADDITIONAL REVENUE FROM A LOCAL PROPERTY TAX MILL LEVY. THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS APPROPRIATE TO CONSIDER ADDITIONAL STATE EQUALIZATION FUNDING FOR INSTITUTE CHARTER SCHOOLS.

(2) (a) THE MILL LEVY EQUALIZATION FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF ANY AMOUNT THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL CREDIT TO THE FUND ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND.

(b) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE INSTITUTE SHALL ANNUALLY DISTRIBUTE ALL OF THE MONEY APPROPRIATED OR TRANSFERRED TO THE FUND TO THE INSTITUTE CHARTER SCHOOLS ON AN EQUAL PER-PUPIL BASIS. THE MONEY DISTRIBUTED PURSUANT TO THIS SECTION IS IN ADDITION TO MONEY DISTRIBUTED TO INSTITUTE CHARTER SCHOOLS PURSUANT TO SECTION 22-30.5-513.

SECTION 4. In Colorado Revised Statutes, 22-54-117, **add** (1)(a)(IX) as follows:

22-54-117. Contingency reserve - capital construction expenditures reserve - fund - lottery proceeds contingency reserve. (1) (a) For the 2007-08 fiscal year and fiscal years thereafter, the general assembly shall annually determine the amount to appropriate to the contingency reserve fund, which is hereby created in the state treasury. In deciding the amount to appropriate to the contingency reserve fund, the general assembly may take into consideration any recommendations made by the department of education, but nothing in this section obligates the general assembly to provide supplemental assistance to all districts that are found to be in need or to fully fund the total amount of such need. The state board may approve and order payments from the

contingency reserve fund for supplemental assistance to districts determined to be in need as the result of any or all of the following circumstances:

(IX) COMMENCING WITH THE 2017-18 BUDGET YEAR, AN UNUSUAL FINANCIAL BURDEN THAT RESULTS FROM IMPLEMENTING A NEW SCHOOL OR PROGRAM OR EXPANDING A PROGRAM IN THE DISTRICT THAT RESULTS IN A TWENTY PERCENT OR GREATER INCREASE IN THE NUMBER OF PUPILS WHO ENROLL IN THE DISTRICT FOR THE APPLICABLE BUDGET YEAR OVER THE ESTIMATED PUPIL ENROLLMENT USED TO CALCULATE THE DISTRICT'S TOTAL PROGRAM FUNDING FOR THE APPLICABLE BUDGET YEAR. THE DISTRICT SHALL REIMBURSE THE CONTINGENCY RESERVE FUND FOR SUPPLEMENTAL ASSISTANCE AWARDED PURSUANT TO THIS SUBSECTION (1)(a)(IX) FOLLOWING THE ADJUSTMENT OF PAYMENTS AS PROVIDED IN SECTION 22-54-115 (1)(a).

SECTION 5. In Colorado Revised Statutes, **amend** 22-61-103 as follows:

22-61-103. Teacher's oath, affirmation, or pledge. (1) ~~Any~~ A person now holding a license to teach in the public schools in the state of Colorado or who shall hereafter be issued a license to teach in such public schools within the state of Colorado, except ~~any~~ A person employed to teach in a temporary capacity who is a citizen of a nation other than the United States, shall take OR SIGN the following oath, ~~or~~ affirmation, OR WRITTEN PLEDGE:

"I solemnly (swear) (affirm) (PLEDGE) that I will uphold the constitution of the United States and the constitution of the state of Colorado, and I will faithfully perform the duties of the position upon which I am about to enter."

(2) ~~The said oath or affirmation shall be administered by any~~ A person authorized to administer oaths in the state of Colorado SHALL ADMINISTER THE OATH OR AFFIRMATION, OR THE TEACHER MUST SIGN THE PLEDGE.

SECTION 6. In Colorado Revised Statutes, **amend** 22-61-104 as follows:

22-61-104. Oath, affirmation, or pledge - professors, instructors, and teachers in state institutions of higher education. (1) Every person employed to teach in ~~any~~ A state university, college, junior college, community college, or technical college in the state of Colorado, before entering upon or continuing the discharge of his OR HER duties, shall take OR SIGN the following oath, ~~or~~ affirmation, OR WRITTEN PLEDGE; except that ~~no~~ A person employed to teach in a temporary capacity who is a citizen of a nation other than the United States ~~shall be~~ IS NOT required to take such oath or affirmation OR SIGN SUCH PLEDGE:

"I solemnly (swear) (affirm) (PLEDGE) that I will uphold the constitution of the United States and the constitution of the state of Colorado, and I will faithfully perform the duties of the position upon which I am about to enter."

(2) ~~The said oath or affirmation shall be administered by any~~ A person authorized to administer oaths in the state of Colorado SHALL ADMINISTER THE OATH OR AFFIRMATION, OR THE PROFESSOR, INSTRUCTOR, OR TEACHER MUST SIGN THE PLEDGE.

SECTION 7. In Colorado Revised Statutes, **amend** 22-61-105 as follows:

22-61-105. Penalty. ~~Any~~ A person who, being in charge of ~~any~~ A public school, state university, college, junior college, community college, or technical college within the state of Colorado, allows or permits ~~any~~ A teacher to enter upon the discharge of his OR HER duties or give instruction therein, unless such teacher shall have taken the oath or affirmation OR SIGNED THE PLEDGE AS provided ~~for~~ in sections 22-61-103 and 22-61-104, is guilty of a misdemeanor and, upon conviction thereof, ~~shall~~ MUST be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

SECTION 8. Appropriation. (1) For the 2017-18 state fiscal year, $15,180,602 is appropriated to the mill levy equalization fund created in section 22-30.5-513.1, C.R.S. This appropriation is from the general fund. The department of education is responsible for the accounting related to this appropriation.

(2) For the 2017-18 state fiscal year, $15,180,602 is appropriated to the department of education for use by the state charter school

institute. This appropriation is from reappropriated funds in the mill levy equalization fund under subsection (1) of this section. To implement this act, the state charter school institute may use the appropriation for institute charter school mill levy equalization payments.

SECTION 9. Appropriation - adjustments to 2017 long bill. To implement this act, the cash funds appropriation from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S., made in the annual general appropriation act for the 2017-18 state fiscal year to the department of education for the school health professionals grant program is decreased by $9,642,950, and the related FTE is decreased by 3.0 FTE.

SECTION 10. Appropriation - adjustments to 2017 long bill. To implement this act, the cash funds appropriation from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S., made in the annual general appropriation act for the 2017-18 state fiscal year to the department of local affairs for use by the division of housing for affordable housing construction grants and loans pursuant to section 24-32-721, C.R.S., is decreased by $16,300,000.

SECTION 11. Appropriation - adjustments to 2017 long bill. To implement this act, the general fund appropriation made in the annual general appropriation act for the 2017-18 state fiscal year to the department of education for the state share of districts' total program funding is decreased by $48,800,000.

SECTION 12. Appropriation. For the 2017-18 state fiscal year, $48,800,000 is appropriated to the department of education. This appropriation consists of $25,942,950 from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S. and $22,857,050 from the state education fund created in section 17 (4)(a) of article IX of the state constitution. To implement this act, the department may use this appropriation for the state share of districts' total program funding.".

Renumber succeeding section accordingly.

REPORT OF CONFERENCE COMMITTEE

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB17-1070

****
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 HB17-1070, concerning the use of unmanned aircraft systems to perform government functions relating to certain public-safety functions, and, in connection therewith, requiring the center of excellence within the department of public safety to perform a study and operate a pilot program, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill, as the amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 4, strike lines 22 through 24 and substitute "LOCAL AND STATE GOVERNMENT FUNCTIONS RELATING TO FIREFIGHTING, SEARCH AND RESCUE, ACCIDENT RECONSTRUCTION, CRIME SCENE DOCUMENTATION, EMERGENCY MANAGEMENT, AND EMERGENCIES INVOLVING SIGNIFICANT PROPERTY LOSS OR POTENTIAL FOR INJURY OR DEATH; AND".

Page 5, strike lines 26 and 27 and substitute "UNMANNED AIRCRAFT SYSTEMS IN VARIOUS CONTEXTS RELATING TO FIREFIGHTING, SEARCH AND RESCUE, ACCIDENT RECONSTRUCTION, CRIME SCENE DOCUMENTATION, EMERGENCY MANAGEMENT, AND EMERGENCIES INVOLVING SIGNIFICANT PROPERTY LOSS OR POTENTIAL FOR INJURY OR DEATH. UNMANNED".

Page 6, strike line 1.

Respectfully submitted,

House Committee:
(signed)
James Wilson, Chair
Joseph Salazar
Donald Valdez

Senate Committee:
(signed)
Don Coram, Chair
Larry Crowder
Kerry Donovan

SENATE SERVICES REPORT

Correctly Printed: SB17-303.
Correctly Engrossed: SB17-280 and 292; SJR17-032.
Correctly Reengrossed: SB17-253 and 293.
Correctly Revised: HB17-1207, 1249, 1283, 1295, 1297, and 1298.
Correctly Rerevised: HB17-1228 and 1316.
Correctly Enrolled: SB17-217, 218, 219, 221, and 239; SM17-002 and 003.

MESSAGE FROM THE HOUSE

April 28, 2017

Mr. President:

The House has postponed indefinitely SB17-082, 186. The bills are returned herewith.

The House has voted to recede from its position on SB17-203 and repassed the bill amended. The bill is returned herewith.

The House has voted to concur in the Senate amendments to HB17-1045, 1263,1176, 1246, 1190, 1004, 1057 and has repassed the bills as so amended.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SR17-004 by Senator(s) Grantham--Concerning the approval by the Senate of the Senate President's appointment of William J. Leone to the Independent Ethics Commission.

Laid over one day under Senate Rule 30(c).

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

SB17-304 by Senator(s) Martinez Humenik and Williams A., Tate; also Representative(s) Singer and Thurlow, Pabon--Concerning the authority of the joint technology committee.
State, Veterans, & Military Affairs

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB17-292 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Rankin, Hamner, Young- Concerning the creation of the employment opportunities with wages program for qualifying Colorado works basic cash assistance recipients, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Kefalas, Kerr, and Martinez Humenik.

HB17-1298 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lundberg, Lambert, Moreno- Concerning the date by which the state personnel director is required to submit the annual compensation report.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

HB17-1295 by Representative(s) Rankin, Hamner, Young; also Senator(s) Moreno, Lambert, Lundberg-Concerning the repeal of the governor's office of marijuana coordination.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Crowder, Grantham, Holbert, Jones, Kefalas, and Martinez Humenik.

HB17-1283 by Representative(s) Singer and Nordberg, Beckman, Covarrubias, Esgar, Herod, Kraft-Tharp, Landgraf, Lawrence, Liston, Lundeen, Michaelson Jenet, Navarro, Pabon, Rankin, Thurlow, Van Winkle, Williams D., Wist, Young; also Senator(s) Garcia and Cooke, Court, Aguilar, Fenberg, Jahn, Kefalas, Kerr, Martinez Humenik, Priola, Todd--Concerning the creation of a task force to examine workforce resiliency in the child welfare system.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Fields, Hill, Jones, Merrifield, Moreno, and Williams A.

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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:

HB17-1249 by Representative(s) Melton; also Senator(s) Tate--Concerning the unlicensed selling of motor vehicles, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas.

SB17-280 by Senator(s) Tate; also Representative(s) Kraft-Tharp and Thurlow, Hamner--Concerning extending the repeal date of the Colorado economic development commission, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Donovan, Gardner, Jahn, Kerr, Martinez Humenik, Merrifield, and Moreno.

HB17-1297 by Representative(s) Gray; also Senator(s) Gardner--Concerning meetings for which a special district director may be compensated for attending.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder.

HB17-1207 by Representative(s) Lee, Arndt, Beckman, Buckner, Coleman, Exum, Herod, Hooton, Lawrence, Melton, Michaelson Jenet, Pabon, Pettersen, Salazar, Singer, Weissman; also Senator(s) Priola--Concerning the requirement for the department of human services to place a juvenile who is ten years of age and older but less than thirteen years of age in a detention facility unless the juvenile is charged with a serious offense, and, in connection therewith, reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Court, Crowder, Fields, Gardner, Grantham, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Neville T., Smallwood, Todd, and Williams A.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Neville was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1251 by Representative(s) Nordberg, Arndt, Hooton, Thurlow; also Senator(s) Moreno, Kerr, Martinez Humenik, Tate--Concerning the scheduled repeal of reports by higher education agencies to the general assembly.

Ordered removed from the General Orders--Second Reading of Bills--Consent Calendar of Friday, April 28, 2017, and laid over to the end of the General Orders--Second Reading of Bills Calendar of Friday, April 28, 2017.

HB17-1258 by Representative(s) Hamner and Willett; also Senator(s) Coram and Donovan--Concerning renaming Delta-Montrose technical college to technical college of the Rockies.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1301 by Representative(s) Michaelson Jenet, Exum; also Senator(s) Holbert and Fields--Concerning protecting a student's access to school records necessary for enrollment in another educational institution despite outstanding payments due to the school.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1288 by Representative(s) Saine and Foote, Becker K., Benavidez, Carver, Gray, Lundeen, Willett, Wist, Young; also Senator(s) Cooke and Court--Concerning the penalties for DUI offenders who commit their fourth and subsequent DUI offenses.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1257 by Representative(s) Arndt, Hooton, Nordberg, Thurlow; also Senator(s) Tate, Kerr, Martinez Humenik, Moreno--Concerning the scheduled repeal of reports by the department of natural resources to the general assembly.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Neville, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1258, HB17-1301, HB17-1288, HB17-1257.
Laid over to the end of the General Orders -- Second Reading of Bills calendar, Friday, April 28: HB17-1251.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Neville was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-295 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin-Concerning revisions to state agency reports concerning fraud in the medicaid program.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1271 by Representative(s) Pettersen; also Senator(s) Priola--Concerning waivers granted to school districts of innovation.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 26, page 938 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1251 by Representative(s) Nordberg, Arndt, Hooton, Thurlow; also Senator(s) Moreno, Kerr, Martinez Humenik, Tate--Concerning the scheduled repeal of reports by higher education agencies to the general assembly.

Amendment No. 1(L.004), by Senator Moreno.

Amend reengrossed bill, page 11, line 2, strike "This" and substitute "(1) Except as otherwise provided in subsection (2) of this section, this".

Page 11, after line 11 insert:

"(2) (a) Sections 1 and 7 of this act take effect only if Senate Bill 17-297 does not become law.

(b) Section 23-1-108 (1.9)(b), Colorado Revised Statutes, as amended in section 3 of this act, takes effect only if Senate Bill 17-297 does not become law.".

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 Neville, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-295, HB17-1271 as amended, HB17-1251 as amended.

CONSIDERATION OF RESOLUTIONS

HJR17-1029 by Representative(s) Becker K., Hansen, Winter; also Senator(s) Sonnenberg, Priola, Moreno--Concerning the designation of Interstate Highway 76 as the "Colorado Pollinator Highway".

Laid over until Monday, May 8, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
PINNACOL ASSURANCE BOARD OF DIRECTORS

effective August 31, 2016 for a term expiring January 1, 2021:

Geraldine Ann Lewis-Jenkins of Denver, Colorado, to serve as an employee of an employer whose liability is insured by Pinnacol, appointed.

for terms expiring January 1, 2022:

Howard L. Carver of Silverthorne, Colorado, who has experience in the management and operation of insurance companies, not competing with Pinnacol Assurance, reappointed;

Jeffrey L. Cummings of Arvada, Colorado, an employer whose liability is insured by Pinnacol Assurance, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

February 17, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE
STATE BOARD OF HUMAN SERVICES

for a term expiring March 1, 2019:

Honorable Thomas Crawford Davidson of Dillon, Colorado to serve as a county commissioner as well as a family member of a person with a disability, appointed;

for terms expiring March 1, 2021:

Dennis Edward Swain of Northglenn, Colorado, to serve as a member of the public, reappointed;

Jeffrey Gordon Kuhr of Grand Junction, Colorado, a member of the public, reappointed;

Bernard A. Buescher of Grand Junction, Colorado, to serve as a member of the public, appointed;

Chris J. Watney of Denver, Colorado, to serve as a member of the public, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/24/2017
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-027, 105, 117, 187, 258, and 264; SJR17-032, 038, and 042; SM17-002 and 003.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB17-298 was made Special Orders at 9:47 a.m.

Committee of the Whole

The hour of 9:47 a.m. having arrived, Senator Neville moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Neville 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:

SB17-298 by Senator(s) Tate; also Representative(s) Kraft-Tharp--Concerning the relationship between a motor vehicle manufacturer and the motor vehicle dealers that have franchise agreements with the manufacturer.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 27, page(s) 946-947 and placed in members' bill files.)

As amended, laid over until Monday, May 1, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

On motion of Senator Neville, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Laid over until Monday, May 1: SB17-298 as amended.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Legislative Council After consideration on the merits, the Committee recommends that **HB17-1216** be referred to the Committee on Appropriations with favorable recommendation.

Legislative Council After consideration on the merits, the Committee recommends that **HB17-1031** be postponed indefinitely.

Legislative Council After consideration on the merits, the Committee recommends that **HB17-1340** be referred to the Committee on Finance with favorable recommendation.

Legislative Council After consideration on the merits, the Committee recommends that **HB17-1225** be postponed indefinitely.

Legislative Council

After consideration on the merits, the Committee recommends that **HB17-1113** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, strike lines 3 through 12 and substitute:

"**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

MESSAGE FROM THE HOUSE

April 28, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1237, 1286, 1268, 1342, 1349, 1354.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1318, amended as printed in House Journal, April 27, 2017.
HB17-1307, amended as printed in House Journal, April 27, 2017.
HB17-1321, amended as printed in House Journal, April 27, 2017.
HB17-1326, amended as printed in House Journal, April 27, 2017.
HB17-1357, amended as printed in House Journal, April 27, 2017.
HB17-1353, amended as printed in House Journal, April 27, 2017.
HB17-1359, amended as printed in House Journal, April 27, 2017.
HB17-1309, amended as printed in House Journal, April 27, 2017.
HB17-1254, amended as printed in House Journal, April 27, 2017.

The House has passed on Third Reading and returns herewith SB17-237, 222, 269, 279, 272, 228, 252, 286.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-232, amended as printed in House Journal, April 27, 2017.

The House has adopted and transmits herewith HJM17-1001, as amended and printed in House Journal, April 28, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

April 28, 2017

We herewith transmit:

Without comment, HB17-1237, 1268, 1286, 1342, 1349, and 1354.
Without comment, as amended, HB17-1254, 1307, 1309, 1318, 1326, 1353, 1357, and 1359.
Without comment, as amended, SB17-232.
With comment, as amended, HB17-1321.

INTRODUCTION OF MEMORIALS

The following memorials were read by title and referred to the committees indicated:

HJM17-1001 by Representative(s) Saine and Ransom; also Senator(s) Holbert and Lundberg--Memorializing former Senator William L. Armstrong.

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:

HB17-1237 by Representative(s) Hamner; also Senator(s) Coram--Concerning the state personnel director's authority to allow a local government to provide health benefits to its employees through the state employee group benefit plans.
State, Veterans, & Military Affairs

HB17-1254 by Representative(s) Becker K. and Salazar; also Senator(s) Kagan--Concerning the elimination of the cap on noneconomic damages for the wrongful death of a minor child.
State, Veterans, & Military Affairs

HB17-1268 by Representative(s) Herod, Benavidez, Lee, Weissman, Foote, Melton, Salazar; also Senator(s) Coram--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.
State, Veterans, & Military Affairs

HB17-1286 by Representative(s) Esgar, Covarrubias, Buckner, Ginal, Jackson, Kennedy, Lontine; also Senator(s) Crowder--Concerning contract requirements for health insurance carriers that offer health benefits to state employees.
State, Veterans, & Military Affairs

HB17-1307 by Representative(s) Winter; also Senator(s) Moreno and Fields--Concerning the creation of a family and medical leave insurance program.
State, Veterans, & Military Affairs

HB17-1309 by Representative(s) Jackson and Winter, Coleman, Salazar; also Senator(s) Coram and Guzman--Concerning modifications to the documentary fee imposed by counties for the purpose of financing a statewide affordable housing investment fund.
State, Veterans, & Military Affairs

HB17-1318 by Representative(s) Ginal, Jackson, Becker K., Buckner, Esgar, Hooton, Kennedy, Lontine; also Senator(s) Coram and Kefalas--Concerning an annual report on pharmaceutical costs.
State, Veterans, & Military Affairs

HB17-1321 by Representative(s) Arndt and Wilson, Catlin, McLachlan, Mitsch Bush, Rankin; also Senator(s) Coram and Fenberg--Concerning the parks and wildlife commission's authority to set certain charges assessed on people engaging in activities regulated by the division of parks and wildlife, and, in connection therewith, setting certain hunting, fishing, parks, and recreation fees and fines, creating an aquatic nuisance species sticker and associated fee structure, and requiring reporting by the division of parks and wildlife on fee amounts and the use of division-managed lands by nonconsumptive users.
Finance

HB17-1326 by Representative(s) Lee, Exum, Melton; also Senator(s) Gardner and Kagan, Merrifield, Priola--Concerning creation of the justice reinvestment crime prevention initiative, and, in connection therewith, funding the initiative through savings created by parole reforms and making and reducing an appropriation.
Judiciary

HB17-1342 by Representative(s) Benavidez; also Senator(s) Crowder--Concerning authorization for a county to submit a ballot question for a county public safety improvements tax at a biennial county or November odd-year election.
Finance

HB17-1349 by Representative(s) Pabon and Van Winkle; also Senator(s) Neville T. and Court--Concerning the establishment of the ratio of valuation for assessment for residential real property.
Finance

HB17-1353 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lundberg, Lambert, Moreno-Concerning implementing medicaid initiatives that create higher value in the medicaid program leading to better health outcomes for medicaid clients, and, in connection therewith, continuing the implementation of the accountable care collaborative and authorizing performance-based provider payments.
Appropriations

HB17-1354 by Representative(s) Becker K.; also Senator(s) Priola and Kefalas--Concerning the collection of delinquent taxes on certain mobile homes.
Finance

HB17-1357 by Representative(s) Pabon; also Senator(s) Cooke and Williams A.--Concerning modifications to the skilled worker training program administered by the department of labor and employment.
Finance

HB17-1359 by Representative(s) Young; also Senator(s) Gardner--Concerning positions in the department of education that are exempt from the state personnel system.
Education

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

April 21, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint, and submit to your consideration, the following:

MEMBER OF THE
STATE BOARD OF STOCK INSPECTION COMMISSIONERS

for a term expiring May 1, 2021:

Daniel Patrick McCarty of Rifle, Colorado, to serve as a representative of the non-confinement cattle industry, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/26/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

April 24, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint, and submit to your consideration, the following:

MEMBERS OF THE
GROUND WATER COMMISSION

for terms expiring May 1, 2021:

Marc Christopher Arnusch of Keenesburg, Colorado, to serve as a resident agriculturist from the Lost Creek Basin, reappointed;

Gregory Larson of Haxtun, Colorado, a resident agriculturist from the Northern High Plains Basin, reappointed;

Scott W. Tietmeyer of Grover, Colorado, a resident agriculturist from the Upper Big Sandy Basin, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/24/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

April 21, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE
HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD

for a term expiring at the pleasure of the Governor:

Shepard J. Nevel of Denver, Colorado, to serve as the Chairman of the Hospital Provider Fee Oversight and Advisory Board, appointed;

for terms expiring May 15, 2021:

Shepard J. Nevel of Denver, Colorado, a representative of a business that purchases or otherwise provides health insurance for its employees, and who previously served as a representative of consumers, reappointed;

Lesley Clark Brooks, MD of Greeley, Colorado, to serve as a member of the health care industry who does not represent a hospital or health insurance carrier, appointed;

Matthew Steven Colussi of Aurora, Colorado, to serve as an employee of the state department, appointed;

Ryan Westrom of Aurora, Colorado, a member of a statewide organization of hospitals, appointed;

Allison Anna Neswood of Denver, Colorado, to serve as a representative of consumers, appointed;

Christopher Daniel Rieber, MBA, CPA of Castle Rock, Colorado, an employee of a safety-net hospital in Colorado, reappointed;

Kathryn Jean Ashenfelter of Denver, Colorado, to serve as an employee of a hospital in Colorado, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/26/2017
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, May 1, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

111th Legislative Day Monday, May 1, 2017

Prayer — By the chaplain, Father Matthew Stewart, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--34
Excused--1, Coram.

Quorum — The President announced a quorum present.

Pledge — By Senator Moreno.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Friday, April 28, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Special Orders -- Second Reading of Bills Calendar (SB17-298) of Monday, May 1, 2017, was laid over to follow the Third Reading of Bills -- Final Passage Calendar of Monday, May 1, 2017.

SENATE SERVICES REPORT

Correctly Printed: SB17-304; SR17-004.
Correctly Engrossed: SB17-295.
Correctly Reengrossed: SB17-280 and 292.
Correctly Revised: HB17-1251, 1257, 1258, 1271, 1288, and 1301.
Correctly Rerevised: HB17-1207, 1249, 1283, 1295, 1297, and 1298.
Correctly Enrolled: SB17-203, 222, 228, 237, 252, 269, 277, 279, and 286; SJR17-032 and 042.

MESSAGE FROM THE HOUSE

April 28, 2017

Mr. President:

The House has postponed indefinitely SB17-270. The bill is returned herewith.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-030 by Senator(s) Martinez Humenik and Kefalas; also Representative(s) Landgraf and Ginal--Concerning the designation of August 2017 as "Spinal Muscular Atrophy Awareness Month" in Colorado.

On motion of Senator Martinez Humenik, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kerr, Lambert, Lundberg, Marble, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

SJR17-039 by Senator(s) Kerr and Crowder; also Representative(s) Lebsock and Carver--Concerning the recognition and remembrance of military veterans in Colorado who served in the Vietnam War and to commemorate the 50th anniversary of the Vietnam War.

On motion of Senator Kerr, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

SJR17-040 by Senator(s) Martinez Humenik and Williams A., Moreno, Priola, Todd; also Representative(s) Michaelson Jenet and Sias, Buckner--Concerning the designation of October 13, 2017, as "Metastatic Breast Cancer Awareness Day".

On motion of Senator Martinez Humenik, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Merrifield, Neville T., Scott, Smallwood, Sonnenberg, Tate, and Zenzinger.

SR17-004 by Senator(s) Grantham--Concerning the approval by the Senate of the Senate President's appointment of William J. Leone to the Independent Ethics Commission.

On motion of President Grantham, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Martinez Humenik, and Zenzinger.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1258 by Representative(s) Hamner and Willett; also Senator(s) Coram and Donovan--Concerning renaming Delta-Montrose technical college to technical college of the Rockies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Fields, Kerr, Martinez Humenik, Merrifield, Moreno, Scott, Todd, and Zenzinger.

HB17-1301 by Representative(s) Michaelson Jenet, Exum; also Senator(s) Holbert and Fields--Concerning protecting a student's access to school records necessary for enrollment in another educational institution despite outstanding payments due to the school.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Donovan, Guzman, Jahn, Kefalas, Merrifield, Moreno, Scott, Todd, Williams A., and Zenzinger.

HB17-1288 by Representative(s) Saine and Foote, Becker K., Benavidez, Carver, Gray, Lundeen, Willett, Wist, Young; also Senator(s) Cooke and Court--Concerning the penalties for DUI offenders who commit their fourth and subsequent DUI offenses.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Fields, Gardner, Kerr, Martinez Humenik, Merrifield, Priola, Scott, Smallwood, Tate, Todd, and Williams A.

HB17-1257 by Representative(s) Arndt, Hooton, Nordberg, Thurlow; also Senator(s) Tate, Kerr, Martinez Humenik, Moreno--Concerning the scheduled repeal of reports by the department of natural resources to the general assembly.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder.

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:

SB17-295 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning revisions to state agency reports concerning fraud in the medicaid program.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Gardner, Grantham, Kefalas, Martinez Humenik, Scott, Smallwood, and Tate.

HB17-1271 by Representative(s) Pettersen; also Senator(s) Priola--Concerning waivers granted to school districts of innovation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas and Moreno.

HB17-1251 by Representative(s) Nordberg, Arndt, Hooton, Thurlow; also Senator(s) Moreno, Kerr, Martinez Humenik, Tate--Concerning the scheduled repeal of reports by higher education agencies to the general assembly.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder.

The Senate proceeded out of order for a moment of personal privilege.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Hill 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:

SB17-298 by Senator(s) Tate; also Representative(s) Kraft-Tharp--Concerning the relationship between a motor vehicle manufacturer and the motor vehicle dealers that have franchise agreements with the manufacturer.

(Amended in general orders as printed in Senate journal, April 28, page 977.)

Amendment No. 1(L.023), by Senator Tate.

Amend the Business, Labor, and Technology Committee Report, dated April 26, 2017, page 1, strike lines 7 through 14.

Amend printed bill, page 4, line 10, strike "OR".

Page 4, strike line 12 and substitute "PROGRAM; OR

(C) A PRICE CHANGE MADE IN THE ORDINARY COURSE OF BUSINESS IF MADE AVAILABLE TO ALL MOTOR VEHICLE DEALERS WHEN THE PRICE CHANGES.".

Page 4, lines 18 and 19, strike "AGREEMENT ON A PROPORTIONATELY EQUAL BASIS;" and substitute "AGREEMENT;".

Page 6, line 22, strike "PROPOSE OR".

Page 6, strike lines 26 and 27 and substitute "franchised dealers ~~and former dealers whose franchises were terminated, cancelled, or not renewed by a manufacturer distributor, or manufacturer~~".

Page 7, strike lines 1 and 2 and substitute "~~representative in the previous five years due to the insolvency of the manufacturer or distributor~~ within whose relevant market area the new,".

Page 12, strike lines 16 through 18.

Renumber succeeding subparagraphs accordingly.

Page 12, line 20, strike "ALL" and substitute "THE".

Page 12, line 21, strike "AND PROJECTED".

Page 12, line 27, strike "INJURIOUS" and substitute "BENEFICIAL".

Page 13, strike lines 8 through 18 and substitute:

"(V) THE REASONABLY EXPECTED MARKET PENETRATION OF THE LINE-MAKE, GIVEN THE FACTORS AFFECTING PENETRATION; AND

(VI) WHETHER THE ADDITIONAL, REOPENED, OR RELOCATED DEALERSHIP IS REASONABLE AND JUSTIFIABLE BASED ON EXPECTED ECONOMIC AND MARKET CONDITIONS WITHIN THE RELEVANT MARKET AREA.".

Page 13, strike lines 25 through 27 and substitute "REASONABLE GROWTH OR MARKET EXPANSION;".

Page 14, strike line 1.

Page 14, strike line 6 and substitute "AREA; AND

(III) THE SIZE AND PERMANENCY OF THE INVESTMENT OF AND OBLIGATIONS INCURRED BY THE EXISTING MOTOR VEHICLE DEALERS OF THE SAME LINE-MAKE LOCATED IN THE RELEVANT MARKET AREA.".

Page 14, lines 18 and 19, strike "CLEAR AND CONVINCING" and substitute "A PREPONDERANCE OF THE".

Page 15, line 9, after "~~staying~~" insert "ALLEGING WITH SPECIFIC FACTS THAT A VIOLATION HAS OCCURRED".

Page 15, line 19, strike "DETERMINATION, INCLUDING ALL APPEALS," and substitute "DETERMINATION".

Page 15, line 20, strike "VERIFIABLE" and substitute "VERIFIED".

Page 15, line 23, strike "NONAPPEALABLE".

Page 16, after line 23 insert:

"**SECTION 4.** In Colorado Revised Statutes, **add** 12-6-132 as follows:

12-6-132. Stop-sale directives - used motor vehicles -

definition. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "STOP-SALE DIRECTIVE" MEANS AN UNCONDITIONAL DIRECTIVE FROM A MANUFACTURER OR DISTRIBUTOR TO A MOTOR VEHICLE DEALER TO STOP SELLING A TYPE OF MOTOR VEHICLE MANUFACTURED BY THE MANUFACTURER OR DISTRIBUTED BY THE DISTRIBUTOR BECAUSE OF A SAFETY DEFECT.

(2) A MANUFACTURER OR DISTRIBUTOR SHALL REIMBURSE A MOTOR VEHICLE DEALER IN ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION IF:

(a) THE MANUFACTURER OR DISTRIBUTOR ISSUES A STOP-SALE DIRECTIVE FOR A MOTOR VEHICLE MANUFACTURED OR DISTRIBUTED BY THE ISSUER OF THE STOP-SALE DIRECTIVE;

(b) THE MOTOR VEHICLE DEALER HOLDS AN ACTIVE SALES, SERVICE, AND PARTS AGREEMENT WITH THE MANUFACTURER OR DISTRIBUTOR FOR THE LINE-MAKE OF THE USED MOTOR VEHICLE COVERED BY THE STOP-SALE DIRECTIVE;

(c) THE USED MOTOR VEHICLE COVERED BY THE STOP-SALE DIRECTIVE IS HELD IN THE INVENTORY OF THE MOTOR VEHICLE DEALER ON THE DATE THE STOP-SALE DIRECTIVE IS ISSUED OR TAKEN BY THE DEALER ON A CONSUMER PURCHASE OF THE SAME LINE-MAKE; AND

(d) THE MANUFACTURER OR DISTRIBUTOR HAS NOT PROVIDED A REMEDY PROCEDURE OR MADE PARTS AVAILABLE TO REPAIR THE USED MOTOR VEHICLE FOR MORE THAN THIRTY DAYS AFTER THE STOP-SALE DIRECTIVE IS ISSUED.

(3) IF THE CONDITIONS IN SUBSECTION (2) OF THIS SECTION ARE MET, THE MANUFACTURER OR DISTRIBUTOR SHALL, UPON APPLICATION BY THE MOTOR VEHICLE DEALER, PAY OR CREDIT THE DEALER ONE AND ONE-HALF PERCENT PER MONTH OF THE AVERAGE TRADE-IN VALUE OF THE USED MOTOR VEHICLE'S MODEL PRORATED FROM THIRTY DAYS AFTER THE STOP-SALE DIRECTIVE WAS ISSUED TO THE EARLIER OF:

(a) THE DATE WHEN THE MANUFACTURER OR DISTRIBUTOR PROVIDES THE MOTOR VEHICLE DEALER WITH A REMEDY PROCEDURE AND ANY NECESSARY PARTS FOR ORDERING TO REPAIR THE USED MOTOR VEHICLE; OR

(b) THE DATE THE MOTOR VEHICLE DEALER TRANSFERS THE MOTOR VEHICLE.

(4) A MANUFACTURER OR DISTRIBUTOR MAY DETERMINE THE MANNER AND METHOD REQUIRED FOR A MOTOR VEHICLE DEALER TO DEMONSTRATE THE INVENTORY STATUS OF A USED MOTOR VEHICLE TO DETERMINE ELIGIBILITY FOR REIMBURSEMENT.

(5) (a) THIS SECTION APPLIES ONLY TO USED MOTOR VEHICLES.

(b) THIS SECTION IS NOT INTENDED TO PREVENT A MANUFACTURER OR DISTRIBUTOR FROM REQUIRING THAT A MOTOR VEHICLE NOT BE SUBJECT TO AN OPEN RECALL OR STOP-SALE DIRECTIVE FOR THE MOTOR VEHICLE TO BE QUALIFIED OR SOLD AS A CERTIFIED PREOWNED VEHICLE OR SUBSTANTIALLY SIMILAR DESIGNATION.

(c) THIS SECTION DOES NOT REQUIRE A MANUFACTURER OR DISTRIBUTOR TO PROVIDE TOTAL COMPENSATION TO A MOTOR VEHICLE DEALER THAT WOULD EXCEED THE TOTAL AVERAGE WHOLESALE VALUATION OF THE AFFECTED USED MOTOR VEHICLE.

(d) THIS SECTION DOES NOT PRECLUDE A MOTOR VEHICLE DEALER AND A MANUFACTURER OR DISTRIBUTOR FROM AGREEING TO REIMBURSEMENT TERMS THAT DIFFER FROM THOSE SPECIFIED IN THIS SECTION.

(e) COMPENSATION PROVIDED TO A MOTOR VEHICLE DEALER UNDER THIS SECTION IS EXCLUSIVE AND MAY NOT BE COMBINED WITH ANY OTHER REMEDY UNDER STATE OR FEDERAL LAW.".

Renumber succeeding sections accordingly.

Amendment No. 2(L.026), by Senator Tate.

Amend printed bill, page 12, line 6, strike "TWENTY" and substitute "TWENTY-FIVE".

Page 12, line 7, strike "FIFTEEN" and substitute "TEN".

Amendment No. 3(L.025), by Senator Tate.

Amend the Business, Labor, and Technology Committee Report, dated

April 26, 2017, page 2, strike lines 3 through 9 and substitute:

"Page 15, strike lines 4 and 5 and substitute "to the board by filing a complaint with:

(a) The executive director; OR

(b) A DISTRICT COURT IF NEITHER THE EXECUTIVE DIRECTOR NOR THE ADMINISTRATIVE LAW JUDGE, APPOINTED IN ACCORDANCE WITH THIS SECTION, HOLDS A HEARING CONCERNING THE COMPLAINT WITHIN SIXTY DAYS AFTER THE COMPLAINT WAS FILED.".".

Amendment No. 4(L.022), by Senator Jones.

Amend printed bill, page 3, line 15, strike "laws or to" and substitute "laws, ~~or~~ to IMPROVEMENTS MADE TO".

Page 3, line 16, strike "line-make;" and substitute "line-make, TO TECHNOLOGICAL IMPROVEMENTS RELATED TO ELECTRIC, AUTOMATED, COMPRESSED NATURAL GAS, AND FUEL-CELL MOTOR VEHICLES, OR TO IMPROVEMENTS MADE TO INSTALL OR UPGRADE ELECTRIC VEHICLE CHARGING EQUIPMENT;".

Page 3, line 23, strike "laws or" and substitute "laws, ~~or~~".

Page 4, line 1, before "accommodate" insert "IMPROVEMENTS MADE TO".

Page 4, line 2, strike "line-make." and substitute "line-make, TO TECHNOLOGICAL IMPROVEMENTS RELATED TO ELECTRIC, AUTOMATED, COMPRESSED NATURAL GAS, AND FUEL-CELL MOTOR MOTORCYCLES AND POWERSPORTS VEHICLES, OR TO IMPROVEMENTS MADE TO INSTALL OR UPGRADE ELECTRIC VEHICLE CHARGING EQUIPMENT.".

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 -- SPECIAL ORDERS

On motion of Senator Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-298 as amended.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1292 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning child welfare licensed out-of-home placement provider rates, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-297 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning revising higher education performance requirements.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 27, page 948 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 -- CONSENT CALENDAR

On motion of Senator Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-297 as amended, HB17-1292.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-003 by Senator(s) Smallwood; also Representative(s) Neville P.--Concerning the repeal of the "Colorado Health Benefit Exchange Act".

Laid over until Monday, May 8, retaining its place on the calendar.

SB17-294 by Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan; also Representative(s) Lee, Foote, Herod, Willett, Wist--Concerning the nonsubstantive revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, imperfect, and inoperative law to preserve the legislative intent, effect, and meaning of the law.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 27, page(s) 945-946 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Gardner.

Amend the Judiciary Committee Report, dated April 26, 2017, page 2, line 28, after "**120.**" insert "**Effective date.**".

Page 2, after line 29 insert:

"(2) Section 99 of this act takes effect only if House Bill 17-1264 does not become law.".

Renumber succeeding subsections accordingly.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1211 by Representative(s) Coleman, Arndt, Buckner, Lontine, Pettersen, Wilson, Sias; also Senator(s) Priola, Fields, Martinez Humenik--Concerning professional development for educators regarding disciplinary strategies for young students.

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 Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-294 as amended, HB17-1211.
Laid over until Monday, May 8: SB17-003.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB17-254

****
THIS REPORT AMENDS THE
REENGROSSED BILL
****

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on SB17-254, concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted, has met and reports that it has agreed upon the following:

1. That the House recede from its amendments made to the bill, as the amendments appear in the rerevised bill, and that the following amendments be substituted therefor:

Page 30, line 8, strike "Expenses" and substitute "Expenses[4a]", in the ITEM & SUBTOTAL column strike "1,808,941" and substitute "1,848,941", and in the GENERAL FUND column strike "1,808,941" and substitute "1,848,941".

Adjust affected totals accordingly.

Page 47, line 7, in the ITEM & SUBTOTAL column strike "1,062,396" and substitute "1,022,396".

Page 47, line 8, in the ITEM & SUBTOTAL column strike "1,723,200" and substitute "1,683,200" and in the GENERAL FUND column strike "1,723,200" and substitute "1,683,200".

Adjust affected totals accordingly.

Page 52, after line 6 insert:

"4a Department of Corrections, Institutions, Housing and Security Subprogram, Operating Expenses -- This appropriation includes $40,000 General Fund for the purpose of providing tampons for offenders.".

Page 64, line 8, in the ITEM & SUBTOTAL column strike "4,353,087,959" and substitute "4,353,438,859" and in the CASH FUNDS column strike "381,130,629[d]" and substitute "381,481,529[d]".

Adjust affected totals accordingly.

Page 65, line 10, strike "$307,920,091" and substitute "$308,270,991".

Page 84, line 9, strike "$3,859,900" and substitute "$4,210,800".

Page 84, line 10, strike "550 FTE" and substitute "600 FTE".

Page 93, line 8, in the ITEM & SUBTOTAL column strike "500,000" and substitute "1,250,000" and in the GENERAL FUND column insert "750,000".

Adjust affected totals accordingly.

Page 117, line 14, in the TOTAL column strike "7,598,919,259" and substitute "7,597,506,218", in the GENERAL FUND column strike "1,169,182,444(M)" and substitute "1,168,754,401(M)", in the CASH FUNDS column strike "886,270,467[b]" and substitute "886,211,720[b]", in

the FEDERAL FUNDS column strike "4,549,845,539" and substitute "4,548,919,288".

Adjust affected totals accordingly.

Page 118, line 2, strike "$644,954,898" and substitute "$644,896,151".

Page 121, line 7, strike "Costs[16]" and substitute "Costs[13a,16]".

Page 121, line 9, in the ITEM & SUBTOTAL column strike "375,829,358" and substitute "376,385,762".

Page 121, line 11, in the ITEM & SUBTOTAL column strike "78,801,632" and substitute "79,102,446".

Page 122, line 5, in the ITEM & SUBTOTAL column strike "528,740,807" and substitute "529,598,025", in the GENERAL FUND column strike "274,404,940[a]" and substitute "274,832,983[a]", in the CASH FUNDS column strike "161,508[b]" and substitute "162,074[b]", and in the FEDERAL FUNDS column strike "254,174,359" and substitute "254,602,968".

Adjust affected totals accordingly.

Page 122, line 7, strike "$254,280,975" and substitute "$254,709,018".

Page 122, line 8, strike "$161,507" and substitute "$162,073".

Page 133, line 18, strike "Individuals --" and substitute "Individuals; Office of Community Living, Division of Intellectual and Developmental Disabilities, Program Costs --".

Page 134, strike lines 1 through 6 and substitute:

"The General Assembly assumes federal approval of provider rate increases for Home- and Community-Based Services, except for services funded through the Office of Community Living, will be delayed until October 1, 2017, resulting in a savings of $1,647,446 General Fund. It is the General Assembly's intent that this savings be invested in a rate increase for emergency medical transportation, non-emergency medical transportation, and non-medical transportation of $4,882,669 total funds, of which $1,647,446 comes from the General Fund. The General Assembly assumes that to continue the rate increases for transportation services in FY 2018-19, when the one-time savings from the delay of the Home- and Community-Based Services rate increases is gone, the Department of Health Care Policy and Financing will need $5,855,559 total funds, of which $2,065,366 will come from the General Fund.".

Page 187, line 8, in the ITEM & SUBTOTAL column strike "8,859,323" and substitute "9,859,323" and in the CASH FUNDS column strike "6,402,045[l]" and substitute "7,402,045[l]".

Adjust affected totals accordingly.

Page 189, line 7 strike "$373,672" and substitute "$1,373,672".

Page 208, line 4, in the ITEM & SUBTOTAL column strike "6,084,109" and substitute "12,084,109" and in the CASH FUNDS column strike "6,084,109[c]" and substitute "12,084,109[c]".

Adjust affected totals accordingly.

Page 243, line 1, in the ITEM & SUBTOTAL column strike "355,021" and substitute "355,031" and in the GENERAL FUND column strike "325,548" and substitute "325,558".

Page 243, line 3, in the ITEM & SUBTOTAL column strike "10,578,904" and substitute "10,619,357", in the GENERAL FUND column strike "9,795,991" and substitute "9,836,206", and in the CASH FUNDS column strike "782,913[a]" and substitute "783,151[a]".

Page 243, line 6, in the ITEM & SUBTOTAL column strike

"10,185,432" and substitute "10,213,101", in the GENERAL FUND column strike "9,404,856" and substitute "9,432,362", and in the CASH FUNDS column strike "780,576[a]" and substitute "780,739[a]".

Page 243, line 7, in the ITEM & SUBTOTAL column strike "2,865,945" and substitute "4,974,368", in the GENERAL FUND column strike "2,574,713" and substitute "4,670,658", and in the CASH FUNDS column strike "291,232[a]" and substitute "303,710[a]".

Adjust affected totals accordingly.

Page 255, line 5, in the ITEM & SUBTOTAL column strike "104,079" and substitute "104,089" and in the GENERAL FUND column strike "104,079" and substitute "104,089".

Page 255, line 7, in the ITEM & SUBTOTAL column strike "2,738,911" and substitute "2,739,179" and in the GENERAL FUND column strike "2,738,911" and substitute "2,739,179".

Page 255, line 10, in the ITEM & SUBTOTAL column strike "2,738,911" and substitute "2,739,179" and in the GENERAL FUND column strike "2,738,911" and substitute "2,739,179".

Page 255, line 11, in the ITEM & SUBTOTAL column strike "1,037,841" and substitute "1,043,828" and in the GENERAL FUND column strike "1,037,841" and substitute "1,043,828".

Adjust affected totals accordingly.

Page 257, line 2, in the ITEM & SUBTOTAL column strike "2,283" and substitute "2,293" and in the GENERAL FUND column strike "2,283" and substitute "2,293".

Page 257, line 4, in the ITEM & SUBTOTAL column strike "60,082" and substitute "60,339" and in the GENERAL FUND column strike "60,082" and substitute "60,339".

Page 257, line 7, in the ITEM & SUBTOTAL column strike "60,082" and substitute "60,339" and in the GENERAL FUND column strike "60,082" and substitute "60,339".

Page 257, line 8, in the ITEM & SUBTOTAL column strike "113,556" and substitute "119,297" and in the GENERAL FUND column strike "113,556" and substitute "119,297".

Adjust affected totals accordingly.

Page 258, line 7, in the ITEM & SUBTOTAL column strike "4,244" and substitute "4,254" and in the GENERAL FUND column strike "4,244" and substitute "4,254".

Page 258, line 9, in the ITEM & SUBTOTAL column strike "111,700" and substitute "111,957" and in the GENERAL FUND column strike "111,700" and substitute "111,957".

Page 258, line 12, in the ITEM & SUBTOTAL column strike "111,700" and substitute "111,957" and in the GENERAL FUND column strike "111,700" and substitute "111,957".

Page 258, line 13, in the ITEM & SUBTOTAL column strike "39,713" and substitute "45,454" and in the GENERAL FUND column strike "39,713" and substitute "45,454".

Adjust affected totals accordingly.

Page 260, line 1, in the ITEM & SUBTOTAL column strike "1,601" and substitute "1,611" and in the GENERAL FUND column strike "1,601" and substitute "1,611".

Page 260, line 3, in the ITEM & SUBTOTAL column strike "42,140" and substitute "42,397" and in the GENERAL FUND column strike "42,140" and substitute "42,397".

Page 260, line 6, in the ITEM & SUBTOTAL column strike "42,140" and substitute "42,397" and in the GENERAL FUND column strike "42,140" and substitute "42,397".

Page 260, line 7, in the ITEM & SUBTOTAL column strike "11,418" and substitute "17,159" and in the GENERAL FUND column strike "11,418" and substitute "17,159".

Adjust affected totals accordingly.

Page 263, line 2, strike "Decrease" and substitute "Increase".

Page 263, line 3, strike "($1,288)" and substitute "$4,420" and strike "$175,511" and substitute "$181,219".

Page 263, line 4, strike "(1,261)" and substitute "4,326" and strike "171,763" and substitute "177,350".

Page 263, line 5, strike "(1,239)" and substitute "4,249" and strike "168,738" and substitute "174,226".

Page 263, line 6, strike "(1,211)" and substitute "4,154" and strike "164,959" and substitute "170,324".

Page 263, line 8, strike "(1,161)" and substitute "3,983" and strike "158,159" and substitute "163,303".

Page 263, line 9, strike "(1,111)" and substitute "3,812" and strike "151,355" and substitute "156,278".

Page 497, line 12, in the TOTAL column strike "1,421,720,005" and substitute " 1,419,531,001" and in the GENERAL FUND column strike "2,189,004".

Adjust affected totals accordingly.

Page 245, line 3, in the ITEM & SUBTOTAL column strike "3,605,925" and substitute "4,079,624" and in the GENERAL FUND column strike "401,339" and substitute "875,038".

Page 245, line 4, in the GENERAL FUND column strike "(2.8 FTE)" and substitute "(9.1 FTE)".

Adjust affected totals accordingly.

Page 330, line 4, strike "Costs" and substitute "Costs[68a]".

Page 331, line 7, strike "$5,398,067" and substitute "$6,148,067", and strike "$4,675,499" and substitute "$3,925,499".

Page 345, line 12, strike "$13,878,934" and substitute "$14,628,934".

Page 346, after line 10 insert:

"68a Department of Natural Resources, Oil and Gas Conservation Commission, Program Costs -- It is the General Assembly's intent that $750,000 from the Severance Tax Operational Fund appropriated to this line item be expended hiring individuals for the nine vacant positions being held vacant due to revenue shortfalls identified in the Department of Natural Resources Staff Memo dated March 29, 2017.".

Page 462, after line 11 insert:

	ITEM & SUBTOTAL $	CASH FUNDS $	
"Rural Broadband[84a]	9,450,000	9,450,000(I)[d]	".

Adjust affected totals accordingly.

Page 463, after line 7 insert:

"[d] This amount shall be from money collected for the High Cost Support Mechanism created in Section 40-15-208, C.R.S. This money is continuously appropriated pursuant to Section 40-15-208, C.R.S., and is shown for informational purposes only.".

Page 467, after line 8 insert:

"FOOTNOTES -- The following statement is referenced to the numbered footnotes throughout section 2.

84a It is the General Assembly's intent that these funds are spent in rural Colorado.".

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Page 64, line 8, in the ITEM & SUBTOTAL column strike "4,353,087,959" and substitute "4,224,656,124", in the GENERAL FUND column strike "3,048,888,997" and substitute "3,000,088,997", and in the CASH FUNDS column strike "381,130,629[d]" and substitute "301,498,794[d]".

Adjust affected totals accordingly.

Page 65, line 10, strike "$307,920,091" and substitute "$228,288,256".

Page 270, line 12, in the ITEM & SUBTOTAL column strike "40,296" and substitute "165,296" and in the CASH FUNDS column strike "40,296[c]" and substitute "165,296[c]".

Adjust affected totals accordingly.

Page 301, line 14, strike "Subsidies" and substitute "Subsidies[64a]"

Page 303, line 3, in the ITEM & SUBTOTAL column strike "1,465,417" and substitute "1,765,417" and in the REAPPROPRIATED FUNDS column strike "541,375[b]" and substitute "841,375[b]".

Page 303, line 4, in the REAPPROPRIATED FUNDS column insert "(2.0 FTE)".

Page 303, line 8, strike "C.R.S.[65]" and substitute "C.R.S.[64a, 65]", in the ITEM & SUBTOTAL column strike "36,528,793" and substitute "35,528,793", and in the CASH FUNDS column strike "16,300,000[d]" and substitute "15,300,000[d]".

Adjust affected totals accordingly.

Page 304, line 1, strike "$246,000" and substitute "$546,000".

Page 313, after line 10 insert:

"64a Department of Local Affairs, Division of Housing, Community and Non-Profit Services, Community Services, Low Income Rental Subsidies; and Field Services, Affordable Housing Construction Grants and Loans pursuant to Section 24-32-721, C.R.S. -- It is General Assembly's intent that rental vouchers issued by the Division of Housing are charged to the Low Income Rental Subsidies line item. For the purpose of issuing rental vouchers, the Department may transfer up to $3,200,000 cash funds from the Marijuana Tax Cash Fund from the line item for Affordable Housing Construction Grants and Loans pursuant to Section 24-32-721, C.R.S. to the line item for

Low Income Rental Subsidies.".

Page 364, after line 7 insert:

	ITEM & SUBTOTAL $
"Maintenance and Historical Renovation	1,000,000".

Page 364, line 9, in the ITEM & SUBTOTAL column strike "12,352,163" and substitute "13,352,163" and in the GENERAL FUND column insert "1,000,000".

Adjust affected totals accordingly.

Page 493, line 7, in the ITEM & SUBTOTAL column strike "4,858,328" and substitute "4,963,260".

Page 493, line 9, in the ITEM & SUBTOTAL column strike "481,112" and substitute "586,180".

Page 493, line 14, in the TOTAL column strike "7,523,100" and substitute "7,733,100" and in the CASH FUNDS column strike "7,523,100[a]" and substitute "7,733,100[a]".

Adjust affected totals accordingly.

Page 16, line 8, strike "Cash Tax" and substitute "Tax Cash".

Page 49, line 8, in the ITEM & SUBTOTAL column strike "5,928,190" and substitute "6,689,926" and in the REAPPROPRIATED FUNDS column strike "4,110,863[b]" and substitute "4,872,599[b]".

Page 49, line 9, in the ITEM & SUBTOTAL column strike "35,823,826" and substitute "38,878,810" and in the REAPPROPRIATED FUNDS column strike "27,382,746[b]" and substitute "30,437,730[b]".

Page 49, line 10, in the ITEM & SUBTOTAL column strike "2,258,992" and substitute "2,498,992" and in the REAPPROPRIATED FUNDS column strike "1,397,649[b]" and substitute "1,637,649[b]".

Adjust affected totals accordingly.

Page 50, line 3, strike "$5,793,369" and substitute "$9,850,089".

Page 88, line 5, in the ITEM & SUBTOTAL column strike "79,167" and substitute "96,744", in the CASH FUNDS column strike "15,714[a]" and substitute "24,502[a]", and in the FEDERAL FUNDS column strike "15,842(I)" and substitute "24,631(I)".

Adjust affected totals accordingly.

Page 88, line 8, strike "$916,342" and substitute "$925,130".

Page 89, line 9, in the CASH FUNDS column strike "31,530(I)[c]" and in the FEDERAL FUNDS column insert "31,530(I)".

Adjust affected totals accordingly.

Page 90, strike line 2.

Page 95, line 3, in the CASH FUNDS column insert "61,384[a]" and in the FEDERAL FUNDS column strike "61,384(I)".

Adjust affected totals accordingly.

Page 104, line 1, strike "$20,872,296" and substitute "$20,840,766".

Page 89, strike lines 12 through 15 and substitute:

"[a] This amount shall be from the Colorado Energy Office Low-income Energy Assistance Fund created in Section 40-8.7-112 (3)(a), C.R.S. This amount is shown for informational purposes only because the Colorado Energy Office Low-income Energy Assistance Fund is continuously appropriated to the Office pursuant to Section 40-8.7-112 (3)(a), C.R.S.".

Page 166, line 15, strike "study, except that the increase for students taking more than twelve credit hours per semester".

Page 166, line 16, strike "will not increase by more than six percent." and substitute "study.".

Page 206, line 16, in the CASH FUNDS column strike "304,205[e]" and substitute "304,205[d]" and in the REAPPROPRIATED FUNDS column strike "125,356[f]" and substitute "125,356[e]".

Page 207, line 8, strike "[d] This amount" and substitute "[d] These amounts".

Page 207, strike line 9.

Page 207, line 10, strike "[f] This" and substitute "[e] This".

Page 230, line 12, strike "Behavioral Health Services, Substance Abuse Treatment Prevention, Other Programs, Balance of Substance Abuse Block Grant Programs." and substitute "the Office of Behavioral Health, Substance Use Treatment and Prevention Services, Community Prevention and Treatment Programs line item appropriation.".

Page 254, line 2, strike "Persistent Drunk Driver Programs line item appropriation in the Behavioral Health Services section." and substitute "Office of Behavioral Health, Substance Use Treatment and Prevention Services, Community Prevention and Treatment Programs line item appropriation.".

Page 355, line 7, in the ITEM & SUBTOTAL column strike "692,514" and substitute "1,692,514", and in the REAPPROPRIATED FUNDS column strike "652,236[b]" and substitute "1,652,236[b]".

Adjust affected totals accordingly.

Page 392, line 14, strike "**Program**" and substitute "**Program**[77a]".

Page 421, after line 12 insert:

"77a Department of Public Health and Environment, Hazardous Materials and Waste Management Division, Solid Waste Control Program -- Of this appropriation, $1,595,000 remains available through June 30, 2019.".

Page 452, line 12, strike "70.8" and substitute "70.80".

Page 455, line 3, in the CASH FUNDS column strike "9,645,645[c]" and substitute "9,645,645[g]".

Page 457, after line 5 insert:

"[g] Of this amount, up to $200,000 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., and $9,445,645 shall be from various sources of cash funds.".

Page 492, line 12, in the ITEM & SUBTOTAL column strike "333,959" and substitute "330,213".

Page 493, line 2, in the TOTAL column strike "6,273,868" and substitute "6,270,122" and in the CASH FUNDS column strike "6,273,868[a]" and substitute "6,270,122[a]".

Adjust affected totals accordingly.

Page 492, line 13, in the ITEM & SUBTOTAL column strike "15,909"and substitute "16,792".

Page 493, line 2, in the TOTAL column strike "6,273,868" and substitute "6,274,751" and in the CASH FUNDS column strike "6,273,868[a]" and substitute "6,274,751[a]".

Adjust affected totals accordingly.

Page 503, line 12, in the ITEM & SUBTOTAL column strike "163,609" and substitute "172,690", in the GENERAL FUND column strike "73,624" and substitute "77,710", and in the CASH FUNDS column strike "89,985[b]" and substitute "94,980[b]".

Adjust affected totals accordingly.

Page 526, strike lines 9 and 10.

Page 526, line 11, strike "Replacement" and substitute "Public Safety Network Projects".

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Kent Lambert, Chair	Millie Hamner, Chair
Kevin Lundberg	Dave Young
Dominick Moreno	Bob Rankin

MESSAGE FROM THE HOUSE

May 1, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1030, as printed in House Journal, May 1, 2017.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR17-1030 by Representative(s) Landgraf and Weissman; also Senator(s) Fields and Gardner--Concerning the recognition of obstacles faced by children whose parents have died while serving in the U.S. Armed Forces.

On motion of Senator Gardner, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Garcia, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

CONSIDERATION OF MEMORIALS

HJM17-1001 by Representative(s) Saine and Ransom; also Senator(s) Holbert and Lundberg--Memorializing former Senator William L. Armstrong.

On motion of Majority Leader Holbert, the memorial was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-232 by Senator(s) Fenberg, Court; also Representative(s) Rosenthal--Concerning continuation under the sunset law of the bingo-raffle advisory board, and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies.

Senator Fenberg moved that the Senate concur in House amendments to **SB17-232**, as printed in House journal, April 27, page(s) 1112-1113. The motion was **adopted** by the following roll call vote:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	E	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
BOARD OF ASSESSMENT APPEALS

for terms expiring July 1, 2017:

Sondra Winterhof Mercier of Westminster, Colorado, reappointed;

MaryKay Kelley of Silverthorne, Colorado, reappointed;

Ann Louesa Maricle of Denver, Colorado reappointed;

Gregg Allan Near of Lakewood, Colorado, reappointed;

Amy J. Williams, MAI of Hayden, Colorado, a member engaged in agriculture, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for a term expiring December 13, 2019:

Edward Dean Davis of Centennial, Colorado, representing employers with good risk management experience with respect to their workers' compensation insurance, and as a Democrat, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM

for terms expiring December 31, 2020:

William Dean Singleton of Denver, Colorado, to serve as an Unaffiliated, reappointed;

Kimberley Beth Jordan of Fort Collins, Colorado, a Larimer County resident and a Democrat, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB17-1070 by Representative(s) Wilson; also Senator(s) Coram and Donovan--Concerning the use of unmanned aircraft systems to perform government functions relating to certain public-safety functions, and, in connection therewith, requiring the center of excellence within the department of public safety to perform a study and operate a pilot program.

Senator Donovan moved for the adoption of the first report of the first conference committee on **HB17-1070**, as printed in Senate journal, April 28, page(s) 968-969. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

MESSAGE FROM THE GOVERNOR

April 28, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-223: CONCERNING THE NONSUBSTANTIVE RELOCATION OF LAWS RELATED TO THE TREATMENT OF HUMAN BODIES AFTER DEATH FROM TITLE 12, COLORADO REVISED STATUTES, AS PART OF THE ORGANIZATIONAL RECODIFICATION OF TITLE 12.

Approved April 28, 2017 at 2:29pm

SB17-262: CONCERNING THE TRANSFER OF MONEY FROM THE GENERAL FUND TO CASH FUNDS THAT ARE USED FOR THE STATE'S INFRASTRUCTURE.

Approved April 28, 2017 at 2:31pm

SB17-266: CONCERNING A REDUCTION IN THE AMOUNT OF THE GENERAL FUND RESERVE REQUIRED FOR THE FISCAL YEAR 2016-17.

Approved April 28, 2017 at 2:31pm

SB17-265: CONCERNING A TRANSFER OF MONEY FROM THE STATE EMPLOYEE RESERVE FUND TO THE GENERAL FUND.

Approved April 28, 2017 at 2:31pm

SB17-263: CONCERNING CAPITAL-RELATED TRANSFERS OF MONEY.

Approved April 28, 2017 at 2:31pm

SB17-261: CONCERNING THE CREATION OF THE 2013 FLOOD RECOVERY ACCOUNT IN THE DISASTER EMERGENCY FUND.

Approved April 28, 2017 at 2:34pm

SB17-226: CONCERNING THE NONSUBSTANTIVE RELOCATION OF LAWS RELATED TO THE REGULATION OF FINANCIAL INSTITUTIONS FROM TITLE 12, COLORADO REVISED STATUTES, AS PART OF THE ORGANIZATIONAL RECODIFICATION OF TITLE 12.

Approved April 28, 2017 at 2:29pm

SB17-224: CONCERNING THE NONSUBSTANTIVE RELOCATION OF LAWS RELATED TO COMMERCIAL DRIVING SCHOOLS FROM TITLE 12 OF THE COLORADO REVISED STATUTES AS PART OF THE ORGANIZATIONAL RECODIFICATION OF TITLE 12.

Approved April 28, 2017 at 2:34pm

SB17-152: CONCERNING THE IMPLEMENTATION OF VOTER-APPROVED CHANGES TO THE COLORADO CONSTITUTION THAT MAKE IT MORE DIFFICULT TO AMEND THE STATE CONSTITUTION, AND, IN CONNECTION THEREWITH, PROHIBITING A PETITION FOR AN INITIATED AMENDMENT TO THE STATE CONSTITUTION FROM BEING SUBMITTED TO VOTERS UNLESS THE PETITION IS SIGNED BY THE CONSTITUTIONALLY REQUIRED NUMBER OF REGISTERED ELECTORS WHO RESIDE IN EACH STATE SENATE DISTRICT AND TOTAL NUMBER OF REGISTERED ELECTORS, REQUIRING AT LEAST FIFTY-FIVE PERCENT OF THE VOTES CAST ON ANY AMENDMENT TO THE STATE CONSTITUTION TO ADOPT THE AMENDMENT UNLESS THE AMENDMENT ONLY REPEALS IN WHOLE OR IN PART A PROVISION OF THE STATE CONSTITUTION, IN WHICH CASE REQUIRING A MAJORITY OF THE VOTES CAST ON THE AMENDMENT TO ADOPT THE AMENDMENT, AND MAKING AN APPROPRIATION.

Approved April 28, 2017 at 2:32pm

SB17-179: CONCERNING THE LIMITATION ON THE AMOUNT OF FEES THAT CAN BE ASSESSED FOR ALLOWING SOLAR ENERGY DEVICE INSTALLATIONS, AND, IN CONNECTION THEREWITH, EXTENDING THE REPEAL DATE.

Approved April 28, 2017 at 2:32pm

SB17-255: CONCERNING THE CREATION OF THE TECHNOLOGY ADVANCEMENT AND EMERGENCY FUND IN THE OFFICE OF INFORMATION TECHNOLOGY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved April 28, 2017 at 2:32pm

SB17-241: CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE JUDICIAL DEPARTMENT TO THE GENERAL ASSEMBLY.

Approved April 28, 2017 at 2:32pm

SB17-257: CONCERNING THE CREATION OF THE COMMUNITY MUSEUMS CASH FUND FOR THE ADMINISTRATION OF REVENUES GENERATED BY COMMUNITY MUSEUMS OPERATED BY THE STATE HISTORICAL SOCIETY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved April 28, 2017 at 2:33pm

SB17-260: CONCERNING TRANSFERS TO THE GENERAL FUND FROM CASH FUNDS WITH SEVERANCE TAX REVENUES.

Approved April 28, 2017 at 2:21pm

SB17-233: CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE DEPARTMENT OF LAW TO THE GENERAL ASSEMBLY.

Approved April 28, 2017 at 2:33pm

SB17-234: CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE DEPARTMENT OF HUMAN SERVICES TO THE GENERAL ASSEMBLY.

Approved April 28, 2017 at 2:09

SB17-051: CONCERNING THE RIGHTS OF CRIME VICTIMS.

Approved April 28, 2017 at 2:13pm

SB17-220: CONCERNING THE CONTINUATION OF THE RESTORATIVE JUSTICE COORDINATING COUNCIL.

Approved April 28, 2017 at 2:33pm

SB17-231: CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE DEPARTMENT OF TRANSPORTATION TO THE GENERAL ASSEMBLY.

Approved April 28, 2017 at 2:33pm

SB17-246: CONCERNING MODERNIZING TERMINOLOGY RELATING TO MENTAL HEALTH DISORDERS, AND, IN CONNECTION THEREWITH, RENAMING THE "LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE TREATMENT OF PERSONS WITH MENTAL ILLNESS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS" TO THE "LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE TREATMENT OF PERSONS WITH MENTAL HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS" AND MAKING A CORRESPONDING CHANGE TO THE NAME OF THE ASSOCIATED TASK FORCE.

Approved April 28, 2017 at 2:33pm

SB17-083: CONCERNING IMPLEMENTATION OF RECOMMENDATIONS OF THE COMMITTEE ON LEGAL SERVICES IN CONNECTION WITH LEGISLATIVE REVIEW OF RULES AND REGULATIONS OF STATE AGENCIES.

Approved April 28, 2017 at 2:34pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

April 28, 2017

The Honorable Colorado Senate
State Capitol
200 E. Colfax Ave.
Denver, CO 80203

Dear Members of the Colorado Senate:

Today, I vetoed Senate Bill 17-139, "Concerning the Extension of the Credit for Tobacco Products that a Distributor Ships or Transports to an Out-of-state Consumer" at 3:47 p.m. Retailers and distributors must pay an excise tax on tobacco products when bringing such products into the state. In 2015, House Bill 15-1301 allowed retailers and distributors to claim a credit for excise taxes on cigars and other non-cigarette tobacco products sold directly to out-of-state consumers. Senate Bill 17-139 extends the credit for three additional years.

Despite proponents' projections in 2015, we are unpersuaded that this credit created any significant economic impact. Proponents argued the credit would move jobs to Colorado. Yet, in 2016, Colorado tobacco distributors claimed only $11,200 in tax credits on $28,000 in out-of-state sales to consumers. While well intentioned by the sponsors, the total of these credits are too low to even support a single worker in this industry.

It is undisputed that tobacco product consumption is harmful to public health. According to the U.S. Centers for Disease Control and Prevention, 4.6 million middle and high school students use tobacco products. While only five percent of adults use cigars, over eight percent of high school students use these products. Among middle and high school students, use of cigars nearly equals the rate of cigarettes. Cheaper, candy-flavored cigars are particularly attractive to youth and have the potential to turn kids into lifelong smokers. Cigar smoking is not a safer alternative to cigarettes, and is linked to increased risk of cancer and death. In short, taxes on tobacco products have proven to be an effective public health tool. Allowing reductions for retailers and distributors, such as those reauthorized by Senate Bill 17-139, harms Colorado's ability to educate the public on risks associated with tobacco use.

We believe that tax uniformity and equity are core foundations for an efficient and fair tax code. Excise taxes apply to alcohol, marijuana, tobacco and fuels. Other excise taxes have no such tax credit. As such, uniformity and equity are two important principles absent in this bill. Accordingly, I have vetoed Senate Bill 17-139.

Sincerely,
(signed)
John W. Hickenlooper
Governor

cc: The Honorable Owen Hill
The Honorable Angela Williams
The Honorable Dan Pabon

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-259.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, April 28, 2017, at 4:25 p.m.:
SB17-259.

To the Governor for signature on Monday, May 1, 2017, at 8:47 a.m.:
SB17-027, 105, 117, 153, 187, 213, 214, 245, 258, and 264.

MESSAGE FROM THE HOUSE

May 1, 2017

Mr. President:

The House has adopted and returns herewith SJR17-039.

The House has adopted the First Report of the First Conference Committee on SB17-254, as printed in House Journal, May 1, 2017, and has repassed the bill as so amended. The bill is returned herewith.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB17-1279** 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 **HB17-1139** 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 **HB17-1296** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1328** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SJR17-033** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1274** 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, strike lines 3 and 4 and substitute "**amend** (2)(a)(I), (2)(b), (5)(b)(II), and (5)(b)(III); and **repeal** (5)(c) as follows:".

Page 2, strike lines 14 through 20.

Page 2, strike line 22.

Page 3, strike line 1.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1252** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1330** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1331** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1300** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1275** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1302** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB17-1284** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend reengrossed bill, page 4, line 14, strike "EMPLOYER" and substitute "EMPLOYER, OR TO A PERSON OR ENTITY CONDUCTING EMPLOYEE SCREENING ON BEHALF OF THE EMPLOYER,".

Page 6, line 19, after "NOTICE" insert "FROM THE COUNTY DEPARTMENT".

Page 9, line 14, after the second "THE" insert "PARAMETERS FOR ESTABLISHING AND COLLECTING THE".

Page 9, line 22, after "(a)" insert "(I)".

Page 10, line 3, after "ADULT," insert "UNLESS THE FINDING WAS EXPUNGED THROUGH A SUCCESSFUL APPEAL TO THE STATE DEPARTMENT,".

Page 10, after line 8 insert:

"(II) A PERSON OR ENTITY CONDUCTING EMPLOYEE SCREENING ON BEHALF OF AN EMPLOYER MAY REQUEST A CAPS CHECK PURSUANT TO THIS SECTION AND MAY RECEIVE THE RESULTS OF THE CAPS CHECK FROM THE STATE DEPARTMENT. THE PERSON OR ENTITY CONDUCTING EMPLOYEE SCREENING ON BEHALF OF THE EMPLOYER SHALL PROVIDE THE EMPLOYER WITH THE RESULTS OF THE CAPS CHECK.".

Page 10, line 12, strike "EMPLOYER" and substitute "EMPLOYER, OR TO A PERSON OR ENTITY CONDUCTING EMPLOYEE SCREENING ON BEHALF OF THE EMPLOYER,".

Page 10, line 19, strike "EMPLOYER" and substitute "EMPLOYER, OR A PERSON OR ENTITY CONDUCTING EMPLOYEE SCREENING ON BEHALF OF THE EMPLOYER,".

Page 10, line 27, strike "EMPLOYER" and substitute "EMPLOYER, OR A PERSON OR ENTITY CONDUCTING EMPLOYEE SCREENING ON BEHALF OF THE EMPLOYER,".

Page 11, line 5, strike "EMPLOYER" insert "EMPLOYER, OR A PERSON OR ENTITY CONDUCTING EMPLOYEE SCREENING ON BEHALF OF THE EMPLOYER,".

Page 11, line 9, strike "EMPLOYER" and substitute "EMPLOYER, OR WHO DOES NOT HAVE AN ACTIVE APPLICATION TO CONTRACT WITH THE EMPLOYER,".

Page 11, line 14, strike "EMPLOYER" and substitute "EMPLOYER, OR A PERSON OR ENTITY CONDUCTING EMPLOYEE SCREENING ON BEHALF OF THE EMPLOYER,".

Page 11, after line 27 insert:

"(f) NOTHING IN THIS SECTION PROHIBITS AN EMPLOYER FROM HIRING OR CONTRACTING WITH AN EMPLOYEE WHO WILL PROVIDE DIRECT CARE TO AN AT-RISK ADULT PRIOR TO RECEIVING THE RESULTS OF THE CAPS CHECK.".

Judiciary After consideration on the merits, the Committee recommends that **HB17-1132** be postponed indefinitely.

Judiciary After consideration on the merits, the Committee recommends that **HB17-1326** be referred to the Committee on Appropriations with favorable recommendation.

MESSAGE FROM THE HOUSE

May 1, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1043, 1343, 1345, 1362.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1095, amended as printed in House Journal, April 27, 2017.
HB17-1339, amended as printed in House Journal, April 27, 2017.
HB17-1079, amended as printed in House Journal, April 27, 2017.
HB17-1119, amended as printed in House Journal, April 27, 2017.
HB17-1162, amended as printed in House Journal, April 27, 2017.
HB17-1191, amended as printed in House Journal, April 27, 2017.
HB17-1192, amended as printed in House Journal, April 27, 2017.
HB17-1204, amended as printed in House Journal, April 27, 2017.
HB17-1208, amended as printed in House Journal, April 27, 2017.
HB17-1264, amended as printed in House Journal, April 27, 2017.
HB17-1323, amended as printed in House Journal, April 27, 2017.
HB17-1329, amended as printed in House Journal, April 27, 2017.
HB17-1022, amended as printed in House Journal, April 27, 2017.
HB17-1346, amended as printed in House Journal, April 27, 2017.
HB17-1356, amended as printed in House Journal, April 27, 2017.
HB17-1361, amended as printed in House Journal, April 27, 2017.
HB17-1311, amended as printed in House Journal, April 27, 2017.
HB17-1322, amended as printed in House Journal, April 27, 2017.
HB17-1338, amended as printed in House Journal, April 27, 2017.

The House has passed on Third Reading and returns herewith SB17-091, 121, 243.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-202, amended as printed in House Journal, April 27, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

May 1, 2017

We herewith transmit:

Without comment, HB17-1043, 1343, 1345, and 1362.
Without comment, as amended, HB17-1022, 1079, 1095, 1119, 1162, 1191, 1192, 1204, 1208, 1264, 1311, 1322, 1323, 1338, 1339, 1346, 1356, and 1361.
Without comment, as amended, SB17-202.
With comment, as amended, HB17-1329.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB17-1022 by Representative(s) Salazar; also Senator(s) Moreno--Concerning teaching civil government in public schools, including the history, culture, and contributions of American Indians, Hispanic Americans, African Americans, and Asian Americans, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB17-1043 by Representative(s) Navarro and Gray; also Senator(s) Priola and Williams A.--Concerning an extension of the scheduled repeal date for uniform commercial code filing fees to provide funding for the Colorado fraud investigators unit.
Finance
Appropriations

HB17-1079 by Representative(s) Kennedy; also Senator(s) Coram and Jahn--Concerning the continued collection of fees for wholesale food manufacturing and storage, and, in connection therewith, making an appropriation.
Finance
Appropriations

HB17-1095 by Representative(s) Melton; also Senator(s) Kagan--Concerning the service of process to individuals who live in secured residential communities.
State, Veterans, & Military Affairs

HB17-1119 by Representative(s) Kraft-Tharp, Singer; also Senator(s) Jahn and Tate--Concerning the payment of workers' compensation benefits to injured employees of uninsured employers, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB17-1162 by Representative(s) Gray; also Senator(s) Gardner--Concerning action that can be taken against an individual based on the individual's failure to pay for a traffic violation, and, in connection therewith, making an appropriation.
Finance
Appropriations

HB17-1191 by Representative(s) Becker K. and Herod, Pabon, Winter, Garnett, Buckner, Coleman, Esgar, Exum, Ginal, Hansen, Hooton, Jackson, McLachlan, Melton, Salazar, Weissman; also Senator(s) Donovan--Concerning a requirement that staff of the legislative council prepare demographic notes on certain legislative bills, and, in connection therewith, making an appropriation.
Finance

HB17-1192 by Representative(s) Duran and McLachlan; also Senator(s) Coram and Fields, Priola--Concerning the Colorado food systems advisory council, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB17-1204 by Representative(s) Lee; also Senator(s) Cooke--Concerning juvenile delinquency record expungement, and, in connection therewith, making an appropriation.
Judiciary

HB17-1208 by Representative(s) Weissman; also Senator(s) Gardner--Concerning clarifications to the criminal justice records sealing process.
Finance
Appropriations

HB17-1264 by Representative(s) Ginal and Lawrence, Kennedy; also Senator(s) Martinez Humenik and Jahn--Concerning expanding the ombudsman program for persons receiving services pursuant to the program of all-inclusive care for the elderly to include local ombudsmen, and, in connection therewith, making an appropriation.
Finance

HB17-1311 by Representative(s) Weissman and Michaelson Jenet; also Senator(s) Williams A.--Concerning the disclosure of future estimated property taxes for the sale of a newly constructed residence.
Finance

HB17-1322 by Representative(s) Esgar and Landgraf; also Senator(s) Donovan and Lundberg--Concerning an exception to the requirement that certain medical professionals report to law enforcement concerning injuries resulting from domestic violence.
State, Veterans, & Military Affairs

HB17-1323 by Representative(s) Esgar; also Senator(s) Cooke and Garcia--Concerning measures to enhance the consumer protection mission of the Colorado public utilities commission, and, in connection therewith, prohibiting a person with recent connections to a regulated utility from serving on the commission, requiring the appointment of an ethics ombudsman, providing for periodic performance audits, and, making an appropriation.
State, Veterans, & Military Affairs

HB17-1329 by Representative(s) Lee and Landgraf, Covarrubias, McKean, Lawrence, Garnett, Herod, Kraft-Tharp, Singer, Thurlow, Wilson; also Senator(s) Kagan and Coram--Concerning the treatment of youths within the division of youth corrections, and, in connection therewith, renaming the division the "division of youth services", clarifying the rehabilitative purpose of the division, establishing a pilot program to initiate a cultural change within the division, clarifying the manner in which the division shall report data concerning critical incidents, renaming and expanding the role of the youth seclusion working group, requiring an independent assessment of the division, creating community boards in each region of the division, requiring the state auditor to audit certain reports of the division, and making an appropriation.
State, Veterans, & Military Affairs

HB17-1338 by Representative(s) Bridges and Liston; also Senator(s) Marble and Kagan--Concerning a requirement for a timely hearing for a defendant in jail with a municipal court hold.
State, Veterans, & Military Affairs

HB17-1339 by Representative(s) Hansen and Esgar; also Senator(s) Kerr and Jones--Concerning authorization for the issuance of low-cost ratepayer-backed bonds, and creation of the Colorado energy impact assistance authority to mitigate the impacts of power plant retirements on Colorado workers and communities.
State, Veterans, & Military Affairs

HB17-1343 by Representative(s) Young, Hamner, Rankin; also Senator(s) Moreno, Lambert, Lundberg--Concerning implementation of conflict-free case management for persons with intellectual and developmental disabilities who are eligible for home- and community-based services under the medicaid program, and, in connection therewith, making an appropriation.
Appropriations

HB17-1345 by Representative(s) Rankin, Hamner, Young; also Senator(s) Moreno, Lambert, Lundberg--Concerning the continuation of the current retail marijuana sales tax rate.
Finance
Appropriations

HB17-1346 by Representative(s) Lontine; also Senator(s) Hill--Concerning the sale of more than fifteen acres of land at the Colorado mental health institute at Fort Logan to the United States department of veterans affairs for the expansion of Fort Logan national cemetery.
Finance
Appropriations

HB17-1356 by Representative(s) Duran and Esgar, Covarrubias, Garnett, Kraft-Tharp, Lawrence, Pabon, Van Winkle; also Senator(s) Tate and Garcia--Concerning the temporary authority of the Colorado economic development commission to allow certain businesses to treat specific existing income tax credits differently.
Finance
Appropriations

HB17-1361 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning an independent evaluation of the state's information technology resources, and, in connection therewith, making an appropriation.
Appropriations

HB17-1362 by Representative(s) Mitsch Bush; also Senator(s) Baumgardner and Todd--Concerning a plan for addressing statewide infrastructure needs.
Finance

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-017, 132, 215, 219, 221, 225, and 244; SJR17-036 and 039; SR17-004.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, May 1, 2017, at 3:41 p.m.:
SB17-017, 132, 215, 219, 221, 225, and 244.

Journal correction:

Page 973, line 1, after "Lee" insert ", Arndt, Beckman, Buckner, Coleman, Exum, Herod, Hooton, Lawrence, Melton, Michaelson Jenet, Pabon, Pettersen, Salazar, Singer, Weissman".

Renumber succeeding lines and pages accordingly.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, May 2, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

112th Legislative Day Tuesday, May 2, 2017

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 Moreno.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Monday, May 1, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1305** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1310** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1260** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1320** be postponed indefinitely.

Appro-priations — After consideration on the merits, the Committee recommends that **HB17-1077** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations — After consideration on the merits, the Committee recommends that **HB17-1087** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appro-priations — After consideration on the merits, the Committee recommends that **HB17-1212** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations — After consideration on the merits, the Committee recommends that **HB17-1250** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB17-1265** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB17-207** 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 19, line 27, strike "$____" and substitute "$7,086,280".

Page 20, strike lines 3 and 4 and substitute:

"act, the office may use this appropriation as follows:

Community behavioral health administration	
Personal services	$50,404 (0.9 FTE)
Operating expenses	$5,558
Integrated behavioral health services	
Behavioral health crisis response system services	$4,070,318
Criminal justice diversion programs	$2,960,000".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-299** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB17-294, 297, and 298; SJR17-030, 039, and 040; SR17-004.
Correctly Reengrossed: SB17-295.
Correctly Revised: HB17-1211 and 1292; HJM17-1001; HJR17-1030.
Correctly Rerevised: HB17-1251, 1257, 1258, 1271, 1288, and 1301.
Correctly Enrolled: SB17-091, 121, 232, and 243; SJR17-038.

MESSAGE FROM THE HOUSE

May 1, 2017

Mr. President:

The House has postponed indefinitely SB17-238. The bill is returned herewith.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR17-037 by Senator(s) Moreno; also Representative(s) Michaelson Jenet--Concerning the designation of May 1 through May 7, 2017, as "National Maternal Health Awareness Week".

On motion of Senator Moreno, the resolution was read at length.

Amendment No. 1(L.001), by Senator Moreno.

Amend printed joint resolution, page 1, line 1, strike "eight" and substitute "seven".

Page 1, strike lines 8 through 10 and substitute:

"WHEREAS, According to the National Research Council and Institutes of Medicine, the effects of maternal depression on children are

linked to "serious consequences, most notably impaired mother-infant bonding and long-term effects on emotional behavior and cognitive skills", and children raised by clinically depressed".

Page 2, strike line 1.

Page 2, strike lines 11 through 15 and substitute:

"WHEREAS, The U.S. Preventative Services Task Force recommends screening for depression in the general adult population, including pregnant and postpartum women, and screening should be implemented with adequate systems in place to ensure accurate diagnosis, effective treatment, and appropriate follow-up; and

WHEREAS, Postpartum Support International recommends screening for the presence of prenatal or postpartum mood and anxiety disorders, at the first prenatal visit, at least once in each of the second and third trimesters, and at a six-week postpartum obstetrical visit, with repeated screening at six and/or twelve months in OB and primary care settings, and the American Academy of Pediatrics also recommends maternal depression screening three times during the child's first year at well-child visits; and".

Page 2, line 20, after "necessary" insert "and accessible".

Page 3, line 4, strike "hereby" and substitute "hereby:".

Page 3, strike lines 5 through 9 and substitute:

"(1) Acknowledge that while there is much work to be done in Colorado to ensure that women have access to maternal mental health services and supports, there are also many committed healthcare providers, stakeholders, philanthropy and agencies, both locally and nationally, working to support women struggling with depression during pregnancy and postpartum; and

(2) Designate the first week of May as "National Maternal Mental Health Awareness Week" to encourage Coloradans to support mothers and their children, especially those struggling with depression symptoms, so that they can receive the services and supports needed to help themselves and their children pursue healthy, meaningful lives.".

Page 3, strike lines 21 and 22 and substitute "Adams County; Kate Kripke, Postpartum Wellness Center of Boulder; Ms. Lauren Bardin; American Academy of Pediatrics, Colorado Chapter; American Congress of Obstetricians and Gynecologists, Colorado Section; Colorado Academy of Family Physicians; Colorado Hospital Association; Healthy Expectations Perinatal Mental Health Program; and Colorado Children's Healthcare Access Program.".

Page 1, strike lines 1 and 2 and substitute "**CONCERNING THE DESIGNATION OF THE FIRST WEEK OF MAY AS "NATIONAL MATERNAL MENTAL HEALTH AWARENESS WEEK".**".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Senator Moreno, the resolution, as amended, was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

HJR17-1018 by Representative(s) Willett; also Senator(s) Scott--Concerning the designation of a portion of state highway 340 as the "Tour of the Moon Byway".

On motion of Senator Scott, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1292 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning child welfare licensed out-of-home placement provider rates, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Fields, Garcia, Jones, Kefalas, Martinez Humenik, Tate, and Todd.

SB17-297 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning revising higher education performance 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Kefalas, Martinez Humenik, and Tate.

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:

SB17-294 by Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan; also Representative(s) Lee, Foote, Herod, Willett, Wist--Concerning the nonsubstantive revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, imperfect, and inoperative law to preserve the legislative intent, effect, and meaning of the law.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Martinez Humenik.

HB17-1211 by Representative(s) Coleman, Arndt, Buckner, Lontine, Pettersen, Wilson, Sias; also Senator(s) Priola, Fields, Martinez Humenik--Concerning professional development for educators regarding disciplinary strategies for young students.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Kefalas, Kerr, Merrifield, Moreno, Todd, Williams A., and Zenzinger.

SB17-298 by Senator(s) Tate; also Representative(s) Kraft-Tharp--Concerning the relationship between a motor vehicle manufacturer and the motor vehicle dealers that have franchise agreements with the manufacturer.

A majority of those elected to the Senate having voted in the affirmative, Senator Tate was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.029), by Senator Tate.

Amend engrossed bill, page 3, line 3, strike "(1)(aa), and (1)(bb)" and substitute "and (1)(aa)".

Page 5, line 14, strike "COMMUNICATE" and substitute "COMMUNICATE, UPON THE REQUEST OF THE DEALER,".

Page 5, strike lines 17 through 27.

Strike page 6.

Page 7, strike line 1.

Page 8, line 1, strike "~~or~~" and substitute "or".

Page 17, strike lines 8 through 12 and substitute "OTHERWISE REQUIRES:

(a) "AVERAGE TRADE-IN VALUE" MEANS THE VALUE OF A USED MOTOR VEHICLE AS ESTABLISHED BY A GENERALLY ACCEPTED, PUBLISHED, THIRD-PARTY USED VEHICLE RESOURCE.".

(b) "STOP-SALE DIRECTIVE" MEANS AN UNCONDITIONAL DIRECTIVE FROM A MANUFACTURER OR DISTRIBUTOR TO A MOTOR VEHICLE DEALER TO STOP SELLING A TYPE OF MOTOR VEHICLE MANUFACTURED BY THE MANUFACTURER OR DISTRIBUTED BY THE DISTRIBUTOR BECAUSE OF A SAFETY DEFECT.".

Page 17, line 25, after "DEALER" insert "AS A TRADE-IN VEHICLE".

Page 18, line 16, strike "THE" and substitute "A REASONABLE".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Crowder, Garcia, Grantham, Guzman, Holbert, Jahn, Kefalas, Lambert, Lundberg, Marble, Merrifield, Neville T., Scott, Smallwood, Todd, and Williams A.

Committee of the Whole

On motion of Senator Martinez Humenik, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Martinez Humenik was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1291 by Representative(s) Arndt and Becker J.; also Senator(s) Coram--Concerning the ability to store water at an alternate place of storage if the historical consumptive use of the water right has already been quantified in a previous change of the water right.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Martinez Humenik, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1291.

Committee of the Whole

On motion of Senator Martinez Humenik, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Martinez Humenik was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1113 by Representative(s) Willett and Arndt; also Senator(s) Scott--Concerning electronic participation in committee meetings during the legislative interim.

Amendment No. 1, Legislative Council Committee Amendment.
(Printed in Senate Journal, April 28, page 978 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Court.

Amend reengrossed bill, page 2, strike line 18 and substitute "participation, including whether it is feasible and desirable to allow electronically participating members to vote on matters before the committee or whether such members shall be counted for attendance

purposes but prohibited from voting; and".

Page 3, strike lines 16 through 21.

Renumber succeeding subparagraph accordingly.

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 Martinez Humenik, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1113 as amended.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB17-1087 was made Special Orders -- Consent Calendar at 9:50 a.m.

Upon request of Majority Leader Holbert, **SB17-207** was removed from the General Orders--Second Reading of Bills Consent Calendar of Thursday, May 4, 2017, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Thursday, May 4, 2017.

Committee of the Whole

The hour of 9:50 a.m. having arrived, Senator Martinez Humenik 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 Martinez Humenik 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:

HB17-1087 by Representative(s) Young; also Senator(s) Lundberg--Concerning an office of public guardianship.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 27, page 945 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 -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Martinez Humenik, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1087 as amended.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB17-1077, HB17-1212, HB17-1250, HB17-1265, SB17-299, and SB17-207 were made Special Orders at 9:56 a.m.

Committee of the Whole

The hour of 9:56 a.m. having arrived, Senator Martinez Humenik moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Martinez Humenik 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:

HB17-1077 by Representative(s) Valdez; also Senator(s) Coram--Concerning the useful public service cash fund.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1212 by Representative(s) Rosenthal and Sias; also Senator(s) Gardner and Kagan--Concerning the creation of an aviation special license plate.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1250 by Representative(s) Lebsock; also Senator(s) Coram and Donovan--Concerning the voluntary contribution designation that benefits wildlife, and, in connection therewith, changing the nongame and endangered wildlife tax check-off to the Colorado nongame conservation and wildlife restoration tax check-off, providing for the allocation of moneys received through the check-off, creating a grant program that uses moneys contributed through the check-off to finance wildlife rehabilitation efforts, and making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1265 by Representative(s) Becker K. and Nordberg; also Senator(s) Priola and Kerr, Court, Gardner--Concerning an increase in the total employer contribution for employers in the judicial division of the public employees' retirement association.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-299 by Senator(s) Holbert and Moreno; also Representative(s) Van Winkle and Kraft-Tharp--Concerning the apportionment of income for state income tax for taxpayers with enterprise data centers in the state.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 27, page 955 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Holbert.

Amend the Finance Committee Report, dated April 27, 2017, page 1, strike line 4 and substitute:

"Page 4, line 4, strike "GROUP." and substitute "GROUP OF C CORPORATIONS AUTHORIZED TO ELECT TO MAKE A CONSOLIDATED RETURN UNDER SECTION 39-22-305, AND AN AFFILIATED GROUP AS DEFINED IN SECTION 39-22-303 (12).".".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-207 by Senator(s) Kagan and Cooke, Jahn; also Representative(s) Salazar and Sias, Kraft-Tharp, Landgraf--Concerning strengthening Colorado's statewide response to behavioral health crises, and, in connection therewith, making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 23, page(s) 507-508 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 2, page 1014 and placed in members' bill files.)

Amendment No. 3(L.011), by Senator Aguilar.

Amend printed bill, page 9, line 9, after "COMMITTEE" insert "AND THE JOINT COMMITTEE ON HEALTH AND HUMAN SERVICES".

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 -- SPECIAL ORDERS

On motion of Senator Martinez Humenik, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-299 as amended, SB17-207 as amended, HB17-1077, HB17-1212, HB17-1250, HB17-1265.

MESSAGE FROM THE HOUSE

May 2, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1365, 1355, 1308.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1324, amended as printed in House Journal, May 1, 2017.
HB17-1312, amended as printed in House Journal, May 1, 2017.
HB17-1350, amended as printed in House Journal, May 1, 2017.

The House has passed on Third Reading and returns herewith SB17-251, 274, 278, 212, 229.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-209, amended as printed in House Journal, May 2, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

May 2, 2017

We herewith transmit:

Without comment, HB17-1308, 1355, 1365.
Without comment, as amended, HB17-1312, 1324, 1350.
Without comment, as amended, SB17-209.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-202 by Senator(s) Coram; also Representative(s) Esgar--Concerning measures to conserve native species in Colorado, and, in connection therewith, making appropriations from the species conservation trust fund for purposes recommended by the department of natural resources.

Senator Coram moved that the Senate concur in House amendments to **SB17-202**, as printed in House journal, April 28, page 1169. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S VETO

SB17-139 by Senator(s) Hill and Williams A.; also Representative(s) Pabon--Concerning the extension of the credit for tobacco products that a distributor ships or transports to an out-of-state consumer.

Laid over until Wednesday, May 3, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
ENERGY IMPACT ASSISTANCE
ADVISORY COMMITTEE

for terms expiring August 24, 2020:

Maryjo Marie Downey of Fort Collins, Colorado, reappointed;

Honorable Cari Hermacinski of Steamboat Springs, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
COLORADO ENERGY RESEARCH AUTHORITY

for a term expiring July 1, 2019:

Kathleen Booth Staks of Lakewood, Colorado, and occasioned by the resignation of Jeffrey Paul Ackermann of Denver, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
GROUND WATER COMMISSION

for terms expiring May 1, 2020:

James M. Noble of Denver, Colorado, to serve as a representative of municipal or industrial users, and occasioned by the resignation of Eric Hecox of Denver, Colorado, appointed;

Angela Beth Fowler of Glenwood Springs, Colorado, to serve as a representative of western slope municipal or industrial users, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
MINED LAND RECLAMATION BOARD

effective March 1, 2017 for terms expiring March 1, 2021:

Forrest Von Luke of Craig, Colorado, an individual with substantial experience in the mining industry, reappointed;

Jill Heeringa Van Noord of Boulder, Colorado, an individual with substantial experience in conservation, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
OIL AND GAS CONSERVATION COMMISSION

for terms expiring July 1, 2020:

Ashley Lowe Ager of Durango, Colorado to serve as a member with formal training or substantial experience in soil conservation or reclamation, west of the Continental Divide and as a Democrat, appointed;

Kent Jolley of Glenwood Springs, Colorado, to serve as a member actively engaged in agricultural production, as a royalty owner, west of the Continental Divide and as a Republican, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for terms expiring November 1, 2020:

Ralph Paul Youngs of Steamboat Springs, Colorado, an Unaffiliated residing in the Third Congressional District, appointed;

Virginia “Ginny” Vietti of Frisco, Colorado, a Democrat residing in the Second Congressional District, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
COLORADO WATER CONSERVATION BOARD

for a term expiring February 12, 2018:

James Thomas Yahn of Sterling, Colorado, to serve as a representative of the South Platte drainage basin and as a Republican, and occasioned by the death of Phyllis “Diane” Hoppe of Broomfield, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO WILDLIFE HABITAT STAMP COMMITTEE

for a term expiring December 31, 2019:

Andrew Christian Treharne of Denver, Colorado, to serve as a sportsperson, and occasioned by the resignation of Kyle Miller of Denver, Colorado, appointed;

for terms expiring December 31, 2020:

John Douglas Wellman of Hamilton, Colorado, a landowner actively engaged in agriculture, appointed;

John H. Thatcher of Pueblo, Colorado, a landowner actively engaged in agriculture, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO CHILDREN'S TRUST FUND BOARD

for a term expiring November 7, 2017:

Deborah J. Kenny, PhD, RN, FAAN of Larkspur, Colorado, to serve as a member with knowledge of child abuse prevention, and occasioned by the resignation of Gregory Jackson Tung, PhD, MPH of Denver, Colorado, appointed;

for a term expiring November 7, 2019:

Lisa A. Merlino Hill of Broomfield, Colorado, to serve as a member with knowledge of child abuse prevention, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
STATE BOARD OF HEALTH

for a term expiring March 1, 2019:

Evelinn A. Borrayo, PhD of Fort Collins, Colorado, a resident of the 2nd Congressional District and a Democrat, and occasioned by the resignation of Janelle Katherine Orsborn of Broomfield, Colorado, appointed;

for terms expiring March 1, 2021:

Matthew VanAuken of Colorado Springs, Colorado, a resident of the Fifth Congressional District and as an Unaffiliated, reappointed;

Michael Anthony Cappello of Brush, Colorado, a resident of the Fourth Congressional District and as a Republican, reappointed;

Shawn M. Turk of Centennial, Colorado, a resident of the Sixth Congressional District and as a Democrat, appointed;

Patricia Jane Hammon, RN of Eagle, Colorado, a resident of the Third Congressional District and as a Democrat, appointed;

Lew Gaiter, III of Livermore, Colorado, a resident of the Second Congressional District and a Republican, to serve an an at-large member and county commissioner, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO HEALTH FACILITIES AUTHORITY BOARD OF DIRECTORS

for terms expiring June 30, 2020:

Beverly Kay Sloan of Denver, Colorado, a Democrat, appointed;

Don Willis Marostica of Loveland, Colorado, a Republican, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD

for a term expiring May 15, 2019:

Kimberly Gaye Monjesky of Woodland Park, Colorado, an employee of a rural hospital in Colorado, and occasioned by the resignation of John Robert Gardner, FACHE of Yuma, Colorado, appointed.

for terms expiring May 15, 2020

Dan E. Enderson of Castle Rock, Colorado, an employee of a hospital in Colorado, reappointed; and

George Montgomery O'Brien of Pueblo, Colorado, a person with a disability, who is living with a disability, and who is not a representative or an employee of a hospital, health insurance carrier, or other health care industry entity, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB17-254 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.

Laid over until Wednesday, May 3, retaining its place on the calendar.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB17-1027, 1035, 1106, 1181, 1186, 1200, 1209, 1220, 1221, 1222, 1223, 1224, 1229, 1240, 1243, 1244, 1245, 1267, 1269, and 1280.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Local Government

The Committee on Local Government has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
STATE HOUSING BOARD

for terms expiring January 31, 2021:

Erik Estrada of Louisville, Colorado, a Democrat and resident of the Second Congressional District, appointed;

Jacalyn Reynolds of Sterling, Colorado, a Democrat and resident of the Fourth Congressional District, reappointed;

Chad E. Wright of Colorado Springs, Colorado, a Democrat and resident of the Fifth Congressional District, reappointed.

Local Government

After consideration on the merits, the Committee recommends that **HB17-1293** 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 15, after "IN" insert "OR THE LOCAL GOVERNMENT OFFICIAL OR AN IMMEDIATE FAMILY MEMBER RECEIVES SERVICES FROM".

Finance

The Committee on Finance has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
ADVISORY COMMITTEE ON
GOVERNMENTAL ACCOUNTING

effective May 18, 2017 for terms expiring May 18, 2021:

Gina Marie Lanier of Aurora, Colorado, a finance officer representing school and junior college districts, appointed;

Alta Joanne Gosselink of Brush, Colorado, a finance officer representing city and town government, reappointed;

Neil Andrew Copland of Parker, Colorado, a finance officer representing county government, reappointed.

Finance

After consideration on the merits, the Committee recommends that **SB17-302** 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 **SB17-275** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, strike lines 3 through 5.

Page 3, strike lines 1 through 18 and substitute "(5) as follows:

25-1.5-106.5. Medical marijuana health research grant program. (5) **Sources of marijuana.** (a) The attorney general shall seek".

Finance — After consideration on the merits, the Committee recommends that **HB17-1317** be referred to the Committee of the Whole with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB17-1285** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 9, line 10, strike "OF THIS SECTION".

Page 9, line 11, strike "SUBSECTIONS (1.1)(c)(I) AND (1.1)(c)(III)" and substitute "(1.1)(c)(III)".

Finance — After consideration on the merits, the Committee recommends that **HB17-1248** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 7, after line 11 insert:

"**SECTION 10. South Platte river basin groundwater level data collection, analysis, and remediation - appropriation.** (1) For the 2017-18 state fiscal year, $325,000 is appropriated to the department of natural resources for use by the Colorado water conservation board. This appropriation is from the Colorado water conservation board construction fund created in section 37-60-121, C.R.S. To implement this section, the Colorado water conservation board may use this appropriation as follows: To award grants for projects in response to damaging high groundwater levels in areas of the South Platte river basin for the construction, maintenance, and monitoring of dewatering infrastructure; to cover dewatering well pumping costs; to continue the evaluation of both the cause of the high groundwater levels and exigent remediation efforts implemented in response to the high groundwater levels; to collect and analyze groundwater data; to install instrumentation and monitoring devices; and to perform groundwater modeling.

(2) The money appropriated in subsection (1) of this section remains available for the designated purposes until it is fully expended.".

Renumber succeeding sections accordingly.

Finance — After consideration on the merits, the Committee recommends that **HB17-1337** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB17-1340** be referred to the Committee on Appropriations with favorable recommendation.

MESSAGE FROM THE HOUSE

May 2, 2017

Mr. President:

The House has voted not to concur in the Senate amendments to HB17-1004 and requests that a conference committee be appointed. The Speaker has appointed Representatives Michaelson Jenet, Chair, Danielson, and Sias as House conferees on the First Conference Committee on HB17-1004. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB17-1155 and requests that a conference committee be appointed. The Speaker has appointed Representatives Thurlow, Chair, Weissman, and Foote as House conferees on the First Conference Committee on HB17-1155. The bill is transmitted herewith.

The House reconsidered its position, voted to recede from its position, dissolved the First Conference Committee on SB16-106, and has repassed the bill as amended by the Senate. The bill is returned herewith.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB17-1308 by Representative(s) Salazar and Sias; also Senator(s) Kagan and Cooke--Concerning allowing individualized conditions of parole.
State, Veterans, & Military Affairs

HB17-1312 by Representative(s) Exum and Benavidez; also Senator(s) Moreno and Martinez Humenik--Concerning documents that a residential landlord is required to provide a tenant.
State, Veterans, & Military Affairs

HB17-1324 by Representative(s) Pettersen and McLachlan; also Senator(s) Todd--Concerning educational opportunity tax incentives, and, in connection therewith, modifying the existing state income tax deductions for contributions to and distributions of investment earnings from the qualified state tuition program established by collegeinvest and creating new state income tax credits for qualifying teachers and student teachers who teach in rural schools.
Finance

HB17-1350 by Representative(s) Pettersen and Liston; also Senator(s) Jahn and Smallwood--Concerning the ability of a pharmacist to partially fill prescriptions for opioids.
State, Veterans, & Military Affairs

HB17-1355 by Representative(s) Young; also Senator(s) Lundberg, Moreno, Priola--Concerning the use of money from the county block grant temporary assistance for needy families program for child care quality improvement activities.
Finance

HB17-1365 by Representative(s) Garnett and Nordberg; also Senator(s) Kefalas and Smallwood--Concerning an exemption from the prohibition against having electronic benefits transfer services available through an automated teller machine located on a liquor-licensed premises for an establishment licensed as a liquor-licensed drugstore.
Finance

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB17-217 and 218.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senator Court was appointed to replace Senator Jahn as a Senate conferee on the first conference committee on **SB17-184**.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, May 3, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

113th Legislative Day Wednesday, May 3, 2017

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community: A Mennonite Congregation, Littleton.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--32
Excused--3, Hill, Marble, Martinez Humenik.
Present later--2, Hill, Martinez Humenik.

Quorum — The President announced a quorum present.

Pledge — By Senator Moreno.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Tuesday, May 2, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Trans-portation — After consideration on the merits, the Committee recommends that **SB17-290** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **SB17-303** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 5, strike lines 11 and 12 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, 24-75-219, **amend as added by Senate Bill 17-262** (2)(c.3); **repeal** (1)(c), (2)(a), and (2)(d); **repeal as added by Senate Bill 17-262** (2)(c.7)(I); and **add** (2)(c.2); as follows:

24-75-219. Transfers - transportation - capital construction - definitions. (1) As used in this section, unless the context otherwise requires:

(c) ~~"Funds" means the highway users tax fund and the capital construction fund.~~

(2) ~~(a) On June 30, 2016, the state treasurer shall transfer:~~

~~(I) One hundred ninety-nine million two hundred thousand dollars from the general fund to the highway users tax fund; and~~

~~(II) Forty-nine million eight hundred thousand dollars from the general fund to the capital construction fund.~~

(c.2) ON JUNE 30, 2019, THE STATE TREASURER SHALL TRANSFER SIXTY MILLION DOLLARS FROM THE GENERAL FUND TO THE CAPITAL CONSTRUCTION FUND."

(c.3) On June 30 ~~2019,~~ OF EACH YEAR FROM 2019 THROUGH 2038, the state treasurer shall ~~transfer:~~ TRANSFER ONE HUNDRED SIXTY MILLION DOLLARS FROM THE GENERAL FUND TO THE HIGHWAY USERS TAX FUND.

~~(I) One hundred sixty million dollars from the general fund to the highway users tax fund; and~~

~~(II) Sixty million dollars from the general fund to the capital construction fund.~~

(c.7) ~~On June 30, 2020, the state treasurer shall transfer:~~

~~(I) One hundred sixty million dollars from the general fund to the highway users tax fund; and~~

(d) ~~For each state fiscal year beginning on or after July 1, 2020, the general assembly may appropriate or transfer, in its sole discretion, moneys from the general fund to the highway users tax fund, the capital construction fund, or both funds.~~".

Page 6, line 11, strike "TEN" and substitute "FIVE".

Page 6, line 13, strike "FIVE" and substitute "TEN".

Page 6, after line 24 insert:

"**SECTION 5.** In Colorado Revised Statutes, 42-3-107, **amend** (2), (7), (8)(a), (8)(b)(I), (8)(b)(III), (10)(a), (10)(b)(I), (10)(b)(III), (10)(b)(IV), (13), and (15)(e); and **add** (2.5), (7.5), (8)(a.5), (10)(a.5), and (15)(e.5) as follows:

42-3-107. Taxable value of classes of property - rate of tax - when and where payable - department duties - apportionment of tax collections - definitions - rules - repeal. (2) BEFORE JULY 1, 2018, the annual specific ownership tax payable on every item of Class A personal property ~~shall be~~ IS computed in accordance with the following schedule:

Year of service	**Rate of tax**
First year	2.10% of taxable value
Second year	1.50% of taxable value
Third year	1.20% of taxable value
Fourth year	.90% of taxable value
Fifth, sixth, seventh, eighth, and ninth years	.45% of taxable value or $10, whichever is greater
Tenth and each later year	$ 3

(2.5) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2.5)(b) OF THIS SECTION, ON AND AFTER JULY 1, 2018, THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON EVERY ITEM OF CLASS A PERSONAL PROPERTY IS COMPUTED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

YEAR OF SERVICE	**RATE OF TAX**
FIRST YEAR	2.10% OF TAXABLE VALUE
SECOND YEAR	1.50% OF TAXABLE VALUE
THIRD YEAR	1.20% OF TAXABLE VALUE
FOURTH YEAR	.90% OF TAXABLE VALUE
FIFTH THROUGH NINTH YEARS	.45% OF TAXABLE VALUE OR $10, WHICHEVER IS GREATER
TENTH THROUGH FOURTEENTH YEARS	.35% OF TAXABLE VALUE
FIFTEENTH THROUGH NINETEENTH YEARS	.25% OF TAXABLE VALUE
TWENTIETH THROUGH TWENTY-FOURTH YEARS	.20% OF TAXABLE VALUE
TWENTY-FIFTH YEAR AND EACH LATER YEAR	$ 3

(b) NOTWITHSTANDING THE SPECIFIC OWNERSHIP TAX SCHEDULE SPECIFIED IN SUBSECTION (2.5)(a) OF THIS SECTION, ON AND AFTER JULY 1, 2018, THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON AN ITEM OF CLASS A PERSONAL PROPERTY IS THREE DOLLARS IF THE ITEM WAS REGISTERED AS BEING IN ITS TENTH YEAR OR A LATER YEAR OF SERVICE AS OF THE EFFECTIVE DATE OF THIS SUBSECTION (2.5)(b) AND HAS NOT, ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (2.5)(b), BEEN NEWLY REGISTERED IN THE STATE AFTER PREVIOUSLY BEING REGISTERED IN ANOTHER STATE OR A FOREIGN COUNTRY OR BEEN SOLD OR TRANSFERRED.

(7) WITH RESPECT TO SPECIFIC OWNERSHIP TAXES COLLECTED BEFORE JULY 1, 2018, the department shall transmit all specific ownership taxes collected on items of Class A and Class F personal property to the state treasurer and shall advise the treasurer on the last day of each month of the amounts apportioned to each county from the preceding month's collections. The state treasurer shall pay ~~such~~ THE amounts to the respective treasurers of each county.

(7.5) WITH RESPECT TO SPECIFIC OWNERSHIP TAXES COLLECTED

ON OR AFTER JULY 1, 2018, THE DEPARTMENT SHALL TRANSMIT ALL SPECIFIC OWNERSHIP TAXES COLLECTED ON ITEMS OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS F PERSONAL PROPERTY TO THE STATE TREASURER AND SHALL ADVISE THE STATE TREASURER ON THE LAST DAY OF EACH MONTH OF BOTH THE AMOUNTS ACTUALLY APPORTIONED TO EACH COUNTY FROM THE PRECEDING MONTH'S COLLECTIONS PURSUANT TO SUBSECTIONS (2.5), (8)(a.5), (10)(a.5), AND (15)(e.5) OF THIS SECTION AND THE AMOUNTS THAT WOULD HAVE BEEN APPORTIONED TO EACH COUNTY FROM THE PRECEDING MONTH'S COLLECTIONS UNDER SUBSECTIONS (2), (8)(a), (10)(a), AND (15)(e) OF THIS SECTION IF THE SPECIFIC OWNERSHIP TAX SCHEDULES SET FORTH IN THOSE SUBSECTIONS HAD CONTINUED TO APPLY ON AND AFTER JULY 1, 2018. THE STATE TREASURER SHALL PAY THE AMOUNTS THAT WOULD HAVE BEEN APPORTIONED TO EACH COUNTY UNDER SUBSECTIONS (2), (8)(a), (10)(a), AND (15)(e) OF THIS SECTION IF THE SPECIFIC OWNERSHIP TAX SCHEDULES SET FORTH IN THOSE SUBSECTIONS HAD CONTINUED TO APPLY ON AND AFTER JULY 1, 2018, TO EACH COUNTY AND SHALL CREDIT ALL REMAINING SPECIFIC OWNERSHIP TAXES TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201 (1)(a) FOR ALLOCATION AS SPECIFIED IN SECTION 43-4-205 (6.8).

(8) (a) Except as OTHERWISE provided in ~~paragraph (b) of this subsection (8)~~ SUBSECTION (8)(b) OF THIS SECTION, BEFORE JULY 1, 2018, the annual specific ownership tax payable on every item of Class B personal property is:

Year of service	**Rate of tax**
First year	2.10% of taxable value
Second year	1.50% of taxable value
Third year	1.20% of taxable value
Fourth year	.90% of taxable value
Fifth, sixth, seventh, eighth, and ninth years	.45% of taxable value or $10, whichever is greater
Tenth and each later year	$ 3

(a.5) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (8)(a.5)(II) AND (8)(b) OF THIS SECTION, ON AND AFTER JULY 1, 2018, THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON EVERY ITEM OF CLASS B PERSONAL PROPERTY IS:

YEAR OF SERVICE	**RATE OF TAX**
FIRST YEAR	2.10% OF TAXABLE VALUE
SECOND YEAR	1.50% OF TAXABLE VALUE
THIRD YEAR	1.20% OF TAXABLE VALUE
FOURTH YEAR	.90% OF TAXABLE VALUE
FIFTH THROUGH NINTH YEARS	.45% OF TAXABLE VALUE OR $10, WHICHEVER IS GREATER
TENTH THROUGH FOURTEENTH YEARS	.35% OF TAXABLE VALUE
FIFTEENTH THROUGH NINETEENTH YEARS	.25% OF TAXABLE VALUE
TWENTIETH THROUGH TWENTY-FOURTH YEARS	.20% OF TAXABLE VALUE
TWENTY-FIFTH YEAR AND EACH LATER YEAR	$ 3

(II) NOTWITHSTANDING THE SPECIFIC OWNERSHIP TAX SCHEDULE SPECIFIED IN SUBSECTION (8)(a.5)(I) OF THIS SECTION, ON AND AFTER JULY 1, 2018, THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON AN ITEM OF CLASS B PERSONAL PROPERTY IS THREE DOLLARS IF THE ITEM WAS REGISTERED AS BEING IN ITS TENTH YEAR OR A LATER YEAR OF SERVICE AS OF THE EFFECTIVE DATE OF THIS SUBSECTION (8)(a.5)(II) AND HAS NOT, ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (8)(a.5)(II), BEEN NEWLY REGISTERED IN THE STATE AFTER PREVIOUSLY BEING REGISTERED IN ANOTHER STATE OR A FOREIGN COUNTRY OR BEEN SOLD OR TRANSFERRED.

(b) (I) In lieu of paying the specific ownership tax required ~~in paragraph (a) of this subsection (8)~~ BY SUBSECTION (8)(a) OR (8)(a.5) OF THIS SECTION, an owner who qualifies may pay ownership tax under this ~~paragraph (b)~~ SUBSECTION (8)(b). The specific ownership tax payable on Class B personal property under sixteen thousand pounds empty weight

is one dollar for each full year while the owner is a member of the United States armed forces and has orders to serve outside the United States. If the owner serves less than a full year outside the United States, the tax is the amount established by ~~paragraph (a) of this subsection (8)~~ SUBSECTION (8)(a) OR (8)(a.5) OF THIS SECTION, prorated according to the number of months the owner was in the United States.

(III) If a person has already paid taxes at the rate required ~~in paragraph (a) of this subsection (8)~~ BY SUBSECTION (8)(a) OR (8)(a.5) OF THIS SECTION but is eligible to pay taxes under this ~~paragraph (b)~~ SUBSECTION (8)(b), the department shall credit the person the difference between the rate in ~~paragraph (a) of this subsection (8)~~ SUBSECTION (8)(a) OR (8)(a.5) OF THIS SECTION and the prorated rate imposed in this ~~paragraph (b)~~ SUBSECTION (8)(b) towards the person's specific ownership taxes for succeeding years.

(10) (a) Except as OTHERWISE provided in ~~paragraph (b) of this subsection (10)~~ SUBSECTION (10)(b) OF THIS SECTION, BEFORE JULY 1, 2018, the annual specific ownership tax payable on every item of Class C personal property is:

Year of service	**Rate of tax**
First year	2.10% of taxable value
Second year	1.50% of taxable value
Third year	1.20% of taxable value
Fourth year	.90% of taxable value
Fifth, sixth, seventh, eighth, and ninth years	.45% of taxable value
Tenth and each later year	$ 3

(a.5) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (10)(a.5)(II) AND (10)(b) OF THIS SECTION, ON AND AFTER JULY 1, 2018, THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON EVERY ITEM OF CLASS C PERSONAL PROPERTY IS:

YEAR OF SERVICE	**RATE OF TAX**
FIRST YEAR	2.10% OF TAXABLE VALUE
SECOND YEAR	1.50% OF TAXABLE VALUE
THIRD YEAR	1.20% OF TAXABLE VALUE
FOURTH YEAR	.90% OF TAXABLE VALUE
FIFTH THROUGH NINTH YEARS	.45% OF TAXABLE VALUE
TENTH THROUGH FOURTEENTH YEARS	.35% OF TAXABLE VALUE
FIFTEENTH THROUGH NINETEENTH YEARS	.25% OF TAXABLE VALUE
TWENTIETH THROUGH TWENTY-FOURTH YEARS	.20% OF TAXABLE VALUE
TWENTY-FIFTH YEAR AND EACH LATER YEAR	$ 3

(II) NOTWITHSTANDING THE SPECIFIC OWNERSHIP TAX SCHEDULE SPECIFIED IN SUBSECTION (10)(a.5)(I) OF THIS SECTION, ON AND AFTER JULY 1, 2018, THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON AN ITEM OF CLASS C PERSONAL PROPERTY IS THREE DOLLARS IF THE ITEM WAS REGISTERED AS BEING IN ITS TENTH YEAR OR A LATER YEAR OF SERVICE AS OF THE EFFECTIVE DATE OF THIS SUBSECTION (10)(a.5)(II) AND HAS NOT, ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (10)(a.5)(II), BEEN NEWLY REGISTERED IN THE STATE AFTER PREVIOUSLY BEING REGISTERED IN ANOTHER STATE OR A FOREIGN COUNTRY OR BEEN SOLD OR TRANSFERRED.

(b) (I) In lieu of paying the specific ownership tax required ~~in paragraph (a) of this subsection (10)~~ BY SUBSECTION (10)(a) OF THIS SECTION, an owner who qualifies may pay ownership tax under this ~~paragraph (b)~~ SUBSECTION (10)(b). The specific ownership tax payable on Class C personal property is one dollar for each full year while the owner is a member of the United States armed forces and has orders to serve outside the United States. If the owner serves less than a full year outside the United States, the tax is the amount established by ~~paragraph (a) of this subsection (10)~~ SUBSECTION (10)(a) OR (10)(a.5) OF THIS SECTION, prorated according to the number of months the owner was in the United States.

(III) If a person has already paid taxes at the rate required in ~~paragraph (a) of this subsection (10)~~ SUBSECTION (10)(a) OR (10)(a.5) OF

THIS SECTION, but is eligible to pay taxes under this ~~paragraph (b)~~ SUBSECTION (10)(b), the department shall credit the person the difference between the rate in ~~paragraph (a) of this subsection (10)~~ SUBSECTION (10)(a) OR (10)(a.5) OF THIS SECTION and the prorated rate imposed in this ~~paragraph (b)~~ SUBSECTION (10)(b) towards the person's specific ownership taxes for succeeding years.

(IV) This ~~paragraph (b)~~ SUBSECTION (10)(b) only applies to a motor vehicle that is less than ~~ten~~ TWENTY-FIVE model-years old.

(13) (a) BEFORE JULY 1, 2018, the annual specific ownership tax payable on every item of Class D personal property shall be computed in accordance with the following schedule:

Year of service	**Rate of tax**
First year	2.10% of taxable value
Second year	1.50% of taxable value
Third year	1.20% of taxable value
Fourth year	.90% of taxable value
Fifth, sixth, seventh, eighth, and ninth years	.45% of taxable value
Tenth and each later year	.45% of taxable value or $ 3, whichever is greater

(b) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (13)(b)(II) OF THIS SECTION, ON AND AFTER JULY 1, 2018, THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON EVERY ITEM OF CLASS D PERSONAL PROPERTY SHALL BE COMPUTED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

YEAR OF SERVICE	**RATE OF TAX**
FIRST YEAR	2.10% OF TAXABLE VALUE
SECOND YEAR	1.50% OF TAXABLE VALUE
THIRD YEAR	1.20% OF TAXABLE VALUE
FOURTH YEAR	.90% OF TAXABLE VALUE
FIFTH THROUGH NINTH YEARS	.45% OF TAXABLE VALUE
TENTH THROUGH FOURTEENTH YEARS	.35% OF TAXABLE VALUE
FIFTEENTH THROUGH NINETEENTH YEARS	.25% OF TAXABLE VALUE
TWENTIETH THROUGH TWENTY-FOURTH YEARS	.20% OF TAXABLE VALUE
TWENTY-FIFTH YEAR AND EACH LATER YEAR	$ 3

(II) NOTWITHSTANDING THE SPECIFIC OWNERSHIP TAX SCHEDULE SPECIFIED IN SUBSECTION (13)(b)(I) OF THIS SECTION, ON AND AFTER JULY 1, 2018, THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON AN ITEM OF CLASS D PERSONAL PROPERTY IS THREE DOLLARS IF THE ITEM WAS REGISTERED AS BEING IN ITS TENTH YEAR OR A LATER YEAR OF SERVICE AS OF THE EFFECTIVE DATE OF THIS SUBSECTION (13)(b)(II) AND HAS NOT, ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (13)(b)(II), BEEN NEWLY REGISTERED IN THE STATE AFTER PREVIOUSLY BEING REGISTERED IN ANOTHER STATE OR A FOREIGN COUNTRY OR BEEN SOLD OR TRANSFERRED.

(15) (e) BEFORE JULY 1, 2018, the annual specific ownership tax payable on each item of Class F personal property ~~shall be~~ IS computed in accordance with the following schedule:

Year of service	**Rate of tax**
First year	2.10% of taxable value
Second year	1.50% of taxable value
Third year	1.25% of taxable value
Fourth year	1.00% of taxable value
Fifth year	.75% of taxable value
Sixth and each later year	.50% of taxable value, but not less than $5

(e.5) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (15)(e.5)(II) OF THIS SECTION, ON AND AFTER JULY 1, 2018, THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON EVERY ITEM OF CLASS F PERSONAL PROPERTY IS:

YEAR OF SERVICE	**RATE OF TAX**
FIRST YEAR	2.10% OF TAXABLE VALUE
SECOND YEAR	1.50% OF TAXABLE VALUE

THIRD YEAR	1.25% OF TAXABLE VALUE
FOURTH YEAR	1.00% OF TAXABLE VALUE
FIFTH YEAR	.75% OF TAXABLE VALUE
SIXTH THROUGH NINTH YEARS	.50% OF TAXABLE VALUE BUT NOT LESS THAN $5
TENTH THROUGH FOURTEENTH YEARS	.35 % OF TAXABLE VALUE
FIFTEENTH THROUGH NINETEENTH YEARS	.25% OF TAXABLE VALUE
TWENTIETH THROUGH TWENTY-FOURTH YEARS	.20% OF TAXABLE VALUE
TWENTY-FIFTH YEAR AND EACH LATER YEAR	$ 3

(II) NOTWITHSTANDING THE SPECIFIC OWNERSHIP TAX SCHEDULE SPECIFIED IN SUBSECTION (15)(e.5)(I) OF THIS SECTION, ON AND AFTER JULY 1, 2018, THE ANNUAL SPECIFIC OWNERSHIP TAX PAYABLE ON AN ITEM OF CLASS F PERSONAL PROPERTY IS THREE DOLLARS IF THE ITEM WAS REGISTERED AS BEING IN ITS TENTH YEAR OR A LATER YEAR OF SERVICE AS OF THE EFFECTIVE DATE OF THIS SUBSECTION (15)(e.5)(II) AND HAS NOT, ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (15)(e.5)(II), BEEN NEWLY REGISTERED IN THE STATE AFTER PREVIOUSLY BEING REGISTERED IN ANOTHER STATE OR A FOREIGN COUNTRY OR BEEN SOLD OR TRANSFERRED.".

Renumber succeeding sections accordingly.

Page 7, after line 13 insert:

"**SECTION 7.** In Colorado Revised Statutes, 43-4-205, **amend** (6.5)(a); and **add** (6.8) as follows:

43-4-205. Allocation of fund. (6.5) (a) The ~~revenues~~ REVENUE accrued to and transferred to the highway users tax fund pursuant to section 39-26-123 (4)(a) or ~~24-75-219, C.R.S., or appropriated to the highway users tax fund pursuant to House Bill 02-1389, enacted during the second regular session of the sixty-third general assembly,~~ shall be paid to the state highway fund for allocation to the department of transportation and shall be expended as provided in section 43-4-206 (2);

(6.8) (a) SUBJECT TO THE LIMITATION SET FORTH IN SUBSECTION (6.8)(b) OF THIS SECTION, SPECIFIC OWNERSHIP TAX REVENUE CREDITED TO THE HIGHWAY USERS TAX FUND PURSUANT TO SECTION 42-3-107 (7.5) IS ALLOCATED AS FOLLOWS:

(I) SUBJECT TO ANNUAL ALLOCATION BY THE TRANSPORTATION COMMISSION PURSUANT TO SECTION 43-1-113 AND IN ACCORDANCE WITH SECTION 43-4-705 (13)(b)(II), FOR ANY FISCAL YEAR FOR WHICH ONE OR MORE PAYMENTS ARE DUE ON TRANSPORTATION REVENUE ANTICIPATION NOTES ISSUED PURSUANT TO SECTION 43-4-705 (13)(b), THE FIRST SEVENTY-FIVE MILLION DOLLARS OF THE SPECIFIC OWNERSHIP TAX REVENUE IS INITIALLY PAID TO THE STATE HIGHWAY FUND AND USED, TO THE EXTENT NECESSARY, FOR THE SOLE PURPOSE OF ENSURING THAT THE PAYMENTS DUE ARE MADE IN FULL. ANY OF THE SPECIFIC OWNERSHIP TAX REVENUE NOT USED TO MAKE THE PAYMENTS MUST BE CREDITED BACK TO THE HIGHWAY USERS TAX FUND AND ALLOCATED TO THE STATE HIGHWAY FUND, COUNTIES, AND MUNICIPALITIES FOR EXPENDITURE IN ACCORDANCE WITH THE FORMULA SPECIFIED IN SUBSECTION (6)(b) OF THIS SECTION.

(II) ANY SPECIFIC OWNERSHIP TAX REVENUE THAT IS NOT PAID TO THE STATE HIGHWAY FUND FOR THE PURPOSE OF MAKING TRANSPORTATION REVENUE ANTICIPATION NOTE PAYMENTS PURSUANT TO SUBSECTION (6.8)(a)(I) OF THIS SECTION IS ALLOCATED TO THE STATE HIGHWAY FUND, COUNTIES, AND MUNICIPALITIES FOR EXPENDITURE IN ACCORDANCE WITH THE FORMULA SPECIFIED IN SUBSECTION (6)(b) OF THIS SECTION.

(b) SPECIFIC OWNERSHIP TAX REVENUE THAT IS ALLOCATED PURSUANT TO SUBSECTION (6.8)(a) OF THIS SECTION SHALL NOT BE USED TO FUND ANY TOLL HIGHWAY PROJECT.".

Renumber succeeding sections accordingly.

Page 7, line 23, after "REVENUE" insert "TRANSFERRED TO THE HIGHWAY USERS TAX FUND PURSUANT TO SECTION 24-75-219 AND PAID TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 43-4-205 (6.5)(a) OR".

Page 8, line 5, after "REVENUE" insert "TRANSFERRED TO THE HIGHWAY USERS TAX FUND PURSUANT TO SECTION 24-75-219 AND PAID TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 43-4-205 (6.5)(a) OR".

Page 8, after line 24 insert:

"**SECTION 9.** In Colorado Revised Statutes, 43-4-207, **amend** (1), (2) introductory portion, and (2)(b) introductory portion as follows:

43-4-207. County allocation. (1) After paying the costs of the Colorado state patrol and ~~such~~ ANY other costs of the department, exclusive of highway construction, highway improvements, or highway maintenance, ~~as~~ THAT are appropriated by the general assembly, ~~twenty-six percent of the balance of the highway users tax fund~~ THE REVENUE REQUIRED BY SECTION 43-4-205 TO BE ALLOCATED FROM THE HIGHWAY USERS TAX FUND TO COUNTIES shall be paid to the county treasurers of the respective counties, subject to annual appropriation by the general assembly, and shall be allocated and expended as provided in this section. The ~~moneys thus~~ MONEY received PURSUANT TO SECTION 43-4-205 (6.8) SHALL BE ALLOCATED TO COUNTIES AS PROVIDED BY LAW AND SHALL BE EXPENDED FOR ANY TRANSPORTATION-RELATED PURPOSE AND ALL OTHER MONEY RECEIVED shall be allocated to the counties as provided by law and shall be expended by the counties only on the construction, engineering, reconstruction, maintenance, repair, equipment, improvement, and administration of the county highway systems and any other public highways, including any state highways, together with acquisition of rights-of-way and access rights for the same, for the planning, designing, engineering, acquisition, installation, construction, repair, reconstruction, maintenance, operation, or administration of transit-related projects, including, but not limited to, designated bicycle or pedestrian lanes of highway and infrastructure needed to integrate different transportation modes within a multimodal transportation system, and for no other purpose; except that a county may expend no more than fifteen percent of the total amount expended under this subsection (1) for transit-related operational purposes and except that ~~moneys~~ MONEY received pursuant to section 43-4-205 (6.3) shall be expended by the counties only for road safety projects, as defined in section 43-4-803 (21). The amount ~~to be~~ expended for administrative purposes shall not exceed five percent of each county's share of the funds available.

(2) For the fiscal year commencing July 1, 1989, and each fiscal year thereafter, for the purpose of allocating ~~moneys~~ MONEY in the highway users tax fund to the various counties throughout the state, the following method is hereby adopted:

(b) All ~~moneys~~ MONEY credited to the fund in excess of eighty-six million seven hundred thousand dollars ~~shall be~~ AND ALL MONEY CREDITED TO THE FUND PURSUANT TO SECTION 43-4-205 (6.8) THAT IS REQUIRED BY SUBSECTION (1) OF THIS SECTION TO BE PAID TO THE TREASURERS OF THE RESPECTIVE COUNTIES IS allocated to the counties in the following manner:

SECTION 10. In Colorado Revised Statutes, 43-4-208, **amend** (1), (2) introductory portion, (2)(a), and (6)(a) as follows:

43-4-208. Municipal allocation. (1) After paying the costs of the Colorado state patrol and ~~such~~ ANY other costs of the department, exclusive of highway construction, highway improvements, or highway maintenance, ~~as~~ THAT are appropriated by the general assembly, ~~and making allocation as provided by sections 43-4-206 and 43-4-207, the remaining nine percent of the highway users tax fund~~ THE REVENUE REQUIRED BY SECTION 43-4-205 TO BE ALLOCATED FROM THE HIGHWAY USERS TAX FUND TO MUNICIPALITIES shall be paid to the cities and incorporated towns within the limits of the respective counties, subject to annual appropriation by the general assembly, and shall be allocated

and expended as provided in this section. Each city treasurer shall account for the ~~moneys thus~~ MONEY received as provided in this part 2. ~~Moneys~~ MONEY RECEIVED PURSUANT TO SECTION 43-4-205 (6.8) AND SO ALLOCATED SHALL BE EXPENDED FOR ANY TRANSPORTATION-RELATED PURPOSE AND ALL OTHER MONEY RECEIVED AND so allocated shall be expended by the cities and incorporated towns for the construction, engineering, reconstruction, maintenance, repair, equipment, improvement, and administration of the system of streets of such city or incorporated town or of any public highways located within such city or incorporated town, including any state highways, together with the acquisition of rights-of-way and access rights for the same, and for the planning, designing, engineering, acquisition, installation, construction, repair, reconstruction, maintenance, operation, or administration of transit-related projects, including, but not limited to, designated bicycle or pedestrian lanes of highway and infrastructure needed to integrate different transportation modes within a multimodal transportation system, and for no other purpose; except that a city or an incorporated town may expend no more than fifteen percent of the total amount expended under this subsection (1) for transit-related operational purposes and except that ~~moneys~~ MONEY paid to the cities and incorporated towns pursuant to section 43-4-205 (6.3) shall be expended by the cities and incorporated towns only for road safety projects, as defined in section 43-4-803 (21). The amount ~~to be~~ expended for administrative purposes shall not exceed five percent of each city's share of the funds available.

(2) For the purpose of allocating ~~moneys~~ MONEY in the highway users tax fund to the various cities and incorporated towns throughout the state, the following method is adopted:

(a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (6) OF THIS SECTION, eighty percent shall be allocated to the cities and incorporated towns in proportion to the adjusted urban motor vehicle registration in each city and incorporated town. The term "urban motor vehicle registration" includes all passenger, truck, truck-tractor, and motorcycle registrations. The number of registrations used in computing the percentage shall be those certified to the state treasurer by the department of revenue as constituting the urban motor vehicle registration for the last preceding year. The adjusted registration shall be computed by applying a factor to the actual number of such registrations to reflect the increased standards and costs of construction resulting from the concentration of vehicles in cities and incorporated places. For this purpose the following table of actual registration numbers and factors shall be employed:

Actual registrations	**Factor**
1 -- 500	1.0
501 -- 1,250	1.1
1,251 -- 2,500	1.2
2,501 -- 5,000	1.3
5,001 -- 12,500	1.4
12,501 -- 25,000	1.5
25,001 -- 50,000	1.6
50,001 -- 85,000	1.7
85,001 -- 130,000	1.8
130,001 -- 185,000	1.9
185,001 and over	2.0

(6) (a) In addition to the provisions of subsection (2)(a) of this section, on or after July 1, 1979, eighty percent of all additional ~~funds~~ MONEY becoming available to cities and incorporated towns from the highway users tax fund pursuant to sections 24-75-215 ~~C.R.S.,~~ and 43-4-205 (6)(b)(III) AND, ON AND AFTER JANUARY 1, 2018, EIGHTY PERCENT OF THE MONEY CREDITED TO THE HIGHWAY USERS TAX FUND AS REQUIRED BY SECTION 43-4-205 (6.8) THAT IS REQUIRED BY SUBSECTION (1) OF THIS SECTION TO BE PAID TO THE CITIES AND INCORPORATED TOWNS WITHIN THE LIMITS OF THE RESPECTIVE COUNTIES shall be allocated to the cities and incorporated towns in proportion to the adjusted urban motor vehicle registration in each city and incorporated town. The term "urban motor vehicle registration", as used in this section, includes all passenger, truck, truck-tractor, and motorcycle registrations. The number of registrations used in computing the percentage shall be those certified to the state treasurer by the department of revenue as constituting the urban

motor vehicle registration for the last preceding year. The adjusted registration shall be computed by applying a factor to the actual number of such registrations to reflect the increased standards and costs of construction resulting from the concentration of vehicles in cities and incorporated places. For this purpose the following table of actual registration numbers and factors shall be employed:

Actual registrations	**Factor**
1 -- 500	1.0
501 -- 1,250	1.1
1,251 -- 2,500	1.2
2,501 -- 5,000	1.3
5,001 -- 12,500	1.4
12,501 -- 25,000	1.5
25,001 -- 50,000	1.6
50,001 -- 85,000	1.7
85,001 -- 125,000	1.8
125,001 -- 165,000	1.9
165,001 -- 205,000	2.0
205,001 -- 245,000	2.1
245,001 -- 285,000	2.2
285,001 -- 325,000	2.3
325,001 -- 365,000	2.4
365,001 -- 405,000	2.5
405,001 -- 445,000	2.6
445,001 -- 485,000	2.7
485,001 -- 525,000	2.8
525,001 -- 565,000	2.9
565,001 -- 605,000	3.0".

Renumber succeeding sections accordingly.

Page 9, line 12, strike "THREE AND ONE-HALF" and substitute "FOUR".

Page 9, line 13 and 14, strike "FIVE AND ONE-HALF BILLION" and substitute "SIX BILLION THREE HUNDRED MILLION".

Page 10, strike lines 1 and 2 and substitute "BE SUFFICIENT, TOGETHER WITH SPECIFIC OWNERSHIP TAX REVENUE MADE AVAILABLE FOR NOTE PAYMENTS PURSUANT TO SECTION 43-4-205 (6.8) AND AMOUNTS ALLOCATED FROM THE STATE HIGHWAY FUND FOR PAYMENT OF".

Page 10, line 3, strike "39-26-123 (3.2)," and substitute "39-26-123 (3.2) AND 43-4-206 (2)(a),".

Page 10, line 5, strike "(III) THE" and substitute "(III) (A) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (13)(b)(III)(B) OF THIS SECTION, THE".

Page 10, strike lines 8 and 9.

Page 10, line 10, strike "COST OF $5,500,000,000," and substitute "ISSUE: "SHALL STATE TAXES BE INCREASED _____ DOLLARS BY MODIFICATION OF THE RATES OF SPECIFIC OWNERSHIP TAX IMPOSED ON PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES, COMMERCIAL TRAILERS, AND SPECIAL MOBILE MACHINERY THAT IS AT LEAST TEN YEARS BUT LESS THAN TWENTY-FIVE YEARS OLD, SHALL STATE OF COLORADO DEBT BE INCREASED UP TO $4,000,000,000, WITH A MAXIMUM REPAYMENT COST OF $6,300,000,000,".

Page 10, line 15, strike "NOTE".

Page 10, strike lines 16 and 17 and substitute "THE STATE BE ALLOWED TO COLLECT, RETAIN, AND SPEND ALL TAX REVENUE GENERATED BY THE SPECIFIC OWNERSHIP TAX RATE MODIFICATIONS, NOTE PROCEEDS, AND INVESTMENT EARNINGS AS VOTER-APPROVED REVENUE CHANGES NOTWITHSTANDING ANY LIMITATIONS PROVIDED BY LAW?"

(B) IN ORDER TO PROVIDE THE VOTERS OF THE STATE WITH THE

MOST CURRENT ESTIMATE OF THE FISCAL IMPACT OF THE STATE TAX INCREASE DESCRIBED IN THE BALLOT ISSUE SUBMITTED FOR THEIR CONSIDERATION PURSUANT TO SUBSECTION (13)(b)(III)(A) OF THIS SECTION AND TO AVOID ANY VOTER CONFUSION THAT COULD RESULT FROM A DIFFERENCE BETWEEN THE AMOUNT OF THE TAX INCREASE SPECIFIED IN THE BALLOT ISSUE AND THE UPDATED ESTIMATE OF THE FISCAL IMPACT OF THE STATE TAX INCREASE PROVIDED IN THE BALLOT INFORMATION BOOKLET PREPARED PURSUANT TO SECTION 1-40-124.5 BY THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL AS REQUIRED BY SECTION 1-40-124.5 (1.5), THE SECRETARY OF STATE, BEFORE FINALIZING THE BALLOT FOR THE 2017 STATEWIDE ELECTION, SHALL UPDATE THE AMOUNT OF THE TAX INCREASE SPECIFIED IN THE BALLOT ISSUE TO MATCH THE UPDATED ESTIMATE PROVIDED IN THE BALLOT INFORMATION BOOKLET. THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL SHALL PROVIDE THE UPDATED ESTIMATE TO THE SECRETARY OF STATE AS SOON AS IT IS APPROVED FOR INCLUSION IN THE BALLOT INFORMATION BOOKLET.".

Page 12, line 13, strike "MANAGED" and substitute "ADDITIONAL".

Page 12, line 20, strike "TOLLED EXPRESS LANES".

Page 12, strike line 21.

Page 12, line 22, strike "END AT" and substitute "ADDITION OF LANES FROM".

Page 17, line 8, strike "OR194.5." and substitute "OR 194.5.".

Page 21, line 11, strike "TOLLED EXPRESS".

Page 25, line 3, strike "6" and substitute "8".

Page 25, after line 3 insert:

"(3) Sections 5, 9, and 10 of this act and section 43-4-205 (6.8), as enacted in section 7 of this act, take effect only if, at the November 2017 statewide election, a majority of voters approve the ballot issue submitted pursuant to section 43-4-705 (13)(b), Colorado Revised Statutes, as enacted in section 11 of this act, and, in such case, sections 5, 9, and 10 of this act and section 43-4-205 (6.8), as enacted in section 7 of this act, take effect on the date of the official declaration of the vote thereon by the governor.".

Page 1, strike line 101 and substitute "**CONCERNING AN INCREASE IN TRANSPORTATION FUNDING WITHOUT INCREASING THE STATE SALES AND USE TAX RATE WITH SUCH FUNDING BEING USED PRIMARILY TO REPAY TRANSPORTATION REVENUE ANTICIPATION NOTES ISSUED TO ACCELERATE THE CONSTRUCTION OF CRITICAL STATE HIGHWAY AND BRIDGE IMPROVEMENTS ACROSS THE STATE AND WITH FUNDS NOT NEEDED FOR BOND PAYMENTS BEING PAID TO THE STATE HIGHWAY FUND FOR HIGHWAY PURPOSES OR HIGHWAY-RELATED CAPITAL IMPROVEMENTS.**".

SENATE SERVICES REPORT

Correctly Engrossed: SB17-207 and 299; SJR17-037.
Correctly Reengrossed: SB17-294, 297, and 298.
Correctly Revised: HB17-1077, 1087, 1113, 1212, 1250, 1265, and 1291; HJR17-1018.
Correctly Rerevised: HB17-1211 and 1292.
Correctly Enrolled: SB17-106, 202, 212, 229, 251, 274, and 278; SJR17-039; SR17-004.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

SB17-305 by Senator(s) Lundberg and Fenberg, Aguilar, Court, Guzman, Kagan, Merrifield, Neville T., Scott, Todd, Williams A.; also Representative(s) Foote and Neville P., Becker K., Beckman, Benavidez, Buck, Hooton, Humphrey, Leonard, Liston, Lontine, Lundeen, Navarro, Pabon, Ransom, Saine, Sias, Van Winkle, Williams D., Wist--Concerning modifications to select statutory provisions affecting primary elections enacted by voters at the 2016 statewide general election to facilitate the effective implementation of the state's election laws.
State, Veterans, & Military Affairs

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1291 by Representative(s) Arndt and Becker J.; also Senator(s) Coram--Concerning the ability to store water at an alternate place of storage if the historical consumptive use of the water right has already been quantified in a previous change of the water right.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	E	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Jones, Scott, and Sonnenberg.

HB17-1087 by Representative(s) Young; also Senator(s) Lundberg--Concerning an office of public guardianship.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	7	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	E	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Gardner, Grantham, Kefalas, Merrifield, Moreno, and Tate.

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:

HB17-1113 by Representative(s) Willett and Arndt; also Senator(s) Scott--Concerning electronic participation in committee meetings during the legislative interim.

Laid over until Thursday, May 4, retaining its place on the calendar.

HB17-1077 by Representative(s) Valdez; also Senator(s) Coram--Concerning the useful public service cash fund.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	E	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman and Moreno.

HB17-1212 by Representative(s) Rosenthal and Sias; also Senator(s) Gardner and Kagan--Concerning the creation of an aviation special license plate.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	4	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	E	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Coram, Crowder, Kerr, Lambert, Todd, and Williams A.

HB17-1250 by Representative(s) Lebsock; also Senator(s) Coram and Donovan--Concerning the voluntary contribution designation that benefits wildlife, and, in connection therewith, changing the nongame and endangered wildlife tax check-off to the Colorado nongame conservation and wildlife restoration tax check-off, providing for the allocation of moneys received through the check-off, creating a grant program that uses moneys contributed through the check-off to finance wildlife rehabilitation efforts, and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	9	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	E	Tate	N
Court	Y	Holbert	N	Martinez Humenik	E	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fenberg, Fields, Garcia, Guzman, Kefalas, Kerr, and Merrifield.

HB17-1265 by Representative(s) Becker K. and Nordberg; also Senator(s) Priola and Kerr, Court, Gardner--Concerning an increase in the total employer contribution for employers in the judicial division of the public employees' retirement association.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	10	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	E	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman.

SB17-299 by Senator(s) Holbert and Moreno; also Representative(s) Van Winkle and Kraft-Tharp--Concerning the apportionment of income for state income tax for taxpayers with enterprise data centers in the state.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	E	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields, Grantham, Hill, Jahn, Kefalas, Lambert, Lundberg, Neville T., Smallwood, Tate, Todd, and Williams A.

SB17-207 by Senator(s) Kagan and Cooke, Jahn; also Representative(s) Salazar and Sias, Kraft-Tharp, Landgraf--Concerning strengthening Colorado's statewide response to behavioral health crises, 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	6	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	E	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Fields, Garcia, Gardner, Guzman, Jones, Kefalas, Merrifield, Moreno, Tate, Todd, Williams A., and Zenzinger.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Gardner, Chair, Scott, and Fenberg were appointed as Senate conferees on the first conference committee on **HB17-1155**.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1279 by Representative(s) Garnett and Saine, Wist, Duran; also Senator(s) Tate and Guzman, Williams A., Hill--Concerning the requirement that a unit owners' association obtain approval through a vote of unit owners before filing a construction defect action.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1139 by Representative(s) Landgraf and Michaelson Jenet; also Senator(s) Martinez Humenik and Kefalas--Concerning improving medicaid client protections through effective enforcement of medicaid provider requirements.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1274 by Representative(s) Ginal; also Senator(s) Baumgardner--Concerning the limited circumstances under which a veterinarian may use a compounded pharmaceutical drug for the treatment of an animal patient that is a food animal.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, May 1, page 1007 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1252 by Representative(s) Ginal; also Senator(s) Hill--Concerning the collection of court costs from persons who are convicted of criminal offenses.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1330 by Representative(s) Lee and Wist, Pabon; also Senator(s) Fields and Cooke, Gardner, Kagan, Lundberg, Marble, Todd, Williams A., Zenzinger--Concerning disallowing the use of certain convictions for the purpose of adjudicating a person an habitual criminal.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1302 by Representative(s) Lee and Willett; also Senator(s) Gardner and Fields--Concerning matters related to sexually explicit images of a juvenile, and, in connection therewith, requiring a post-enactment review of the implementation of this act.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1279, HB17-1139, HB17-1274 as amended, HB17-1252, HB17-1330, HB17-1302.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for an announcement.

CONSIDERATION OF RESOLUTIONS

SJR17-041 by Senator(s) Holbert, Grantham, Guzman; also Representative(s) Becker K., Duran, Neville P.--Concerning the convening date for the 2018 Second Regular Session of the Seventy-first General Assembly.

On motion of Majority Leader Holbert, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Donovan, Fields, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Tate, Todd, Williams A., and Zenzinger.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-209 by Senator(s) Priola; also Representative(s) Weissman--Concerning access to the ballot by candidates.

Senator Priola moved that the Senate concur in House amendments to **SB17-209**, as printed in House journal, May 1, page 1207. The motion was **adopted** by the following roll call vote:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Crowder, Grantham, and Sonnenberg.

CONSIDERATION OF GOVERNOR'S VETO

SB17-139 by Senator(s) Hill and Williams A.; also Representative(s) Pabon--Concerning the extension of the credit for tobacco products that a distributor ships or transports to an out-of-state consumer.

(Governor's veto message printed in Senate Journal, May 1, page 1006.)

Senator Hill moved that **SB17-139** become law, notwithstanding the Governor's veto. The roll call was taken with the following result:

YES	17	NO	17	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A constitutional two-thirds majority having failed to vote in the affirmative, the motion was **lost**.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB17-254 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.

Senator Lambert moved for the adoption of the first report of the first conference committee on **SB17-254**, as printed in Senate journal, May 1, page(s) 993-1000. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Garcia and Holbert.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate granted leave pursuant to Senate Rule 21 (c) for the Committee on Appropriations to meet in the well of the Senate.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appro-priations

After consideration on the merits, the Committee recommends that **SB17-296** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Education Committee Report, dated April 27, 2017, page 9, line 16, strike "$16,300,000" and substitute "$15,300,000".

Page 9 of the Committee Report, line 24, strike "$25,942,950" and substitute "$24,942,950".

Page 9 of the Committee Report, line 25, strike "$22,857,050" and substitute "$23,857,050".

Page 9 of the Committee Report, after line 29 insert:

"Amend printed bill, page 1, line 101, strike "**SCHOOLS.**" and substitute "**SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.**".".

MESSAGE FROM THE HOUSE

May 3, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1002.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1303, amended as printed in House Journal, May 2, 2017.
HB17-1266, amended as printed in House Journal, May 2, 2017.
HB17-1090, amended as printed in House Journal, May 2, 2017.
HB17-1277, amended as printed in House Journal, May 2, 2017.
HB17-1315, amended as printed in House Journal, May 2, 2017.
HB17-1259, amended as printed in House Journal, May 2, 2017.
HB17-1121, amended as printed in House Journal, May 2, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB17-1313, amended as printed in House Journal, May 2, 2017, and amended on Third Reading as printed in House Journal, May 3, 2017.

The House has passed on Third Reading and returns herewith SB17-198, 103, 096, 291, 271, 293, 193.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-216, amended as printed in House Journal, May 2, 2017.
SB17-111, amended as printed in House Journal, May 2, 2017.
SB17-074, amended as printed in House Journal, May 2, 2017.
SB17-126, amended as printed in House Journal, May 2, 2017.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB17-304** 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 4, after line 14 insert:

"**SECTION 4.** In Colorado Revised Statutes, 24-37-302, **add** (1)(a.5) as follows:

24-37-302. Responsibilities of the office of state planning and budgeting. (1) The office of state planning and budgeting shall assist the governor in his or her responsibilities pertaining to the executive budget. Specifically, it shall:

(a.5) DESIGN AND PREPARE, IN COORDINATION WITH THE STAFF OF THE JOINT TECHNOLOGY COMMITTEE OF THE GENERAL ASSEMBLY, THE FORMS AND INSTRUCTIONS TO BE USED IN PREPARATION OF ALL BUDGET REQUESTS AND SUPPLEMENTAL BUDGET REQUESTS SUBMITTED TO THE JOINT TECHNOLOGY COMMITTEE PURSUANT TO SECTION 24-37-304 (1)(c.5). THE STAFF OF THE JOINT TECHNOLOGY COMMITTEE SHALL MAKE RECOMMENDATIONS TO THE JOINT TECHNOLOGY COMMITTEE REGARDING SUCH FORMS AND INSTRUCTIONS FOR THE COMMITTEE'S APPROVAL. THE FORMS AND INSTRUCTIONS SHALL REQUIRE THAT BUDGET REQUESTS SUBMITTED TO THE JOINT TECHNOLOGY COMMITTEE INCLUDE:

(I) INFORMATION FROM A REQUEST FOR INFORMATION ISSUED PURSUANT TO SECTION 24-103-201.5, OR OTHER FORMAL MARKET RESEARCH REGARDING THE INFORMATION TECHNOLOGY BUDGET REQUEST;

(II) A DEFINED SCOPE OF WORK AND INFORMATION REGARDING WHETHER A VENDOR OR CONSULTANT ASSISTED IN PREPARING THE SPECIFICATIONS OR STATEMENT OF WORK INCLUDED IN THE INFORMATION TECHNOLOGY BUDGET REQUEST;

(III) A RANGE OF OPTIONS FOR COMPLETING THE PROJECT, INCLUDING THE ESTIMATED COSTS FOR SUCH OPTIONS; AND

(IV) ANY OTHER AVAILABLE AND RELEVANT INFORMATION OBTAINED FROM THE MARKET RESEARCH RELATED TO THE INFORMATION TECHNOLOGY BUDGET REQUEST.".

Renumber succeeding section accordingly.

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 confirmed:

MEMBER OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2021:

Heidi Jeanne Hess of Clifton, Colorado, a Democrat and member of the community at large, reappointed.

Education

After consideration on the merits, the Committee recommends that **HB17-1332** 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 103, strike "and (2)".

Page 2, line 104, strike "**term.**" and substitute "**term - rules.**".

Page 2, line 112, after the period add "THE STATE BOARD OF EDUCATION

IS AUTHORIZED TO PROMULGATE RULES AS NECESSARY TO IMPLEMENT THIS SUBSECTION (1)(a)(I)(D).".

Page 2, strike lines 113 through 124.

Page 3, strike lines 101 and 102 and substitute:

"**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Education

After consideration on the merits, the Committee recommends that **HB17-1359** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 9, strike "system." and substitute "system IN ACCORDANCE WITH SECTION 13 (2)(a)(VII) OF ARTICLE XII OF THE STATE CONSTITUTION.".

Page 2, line 12, strike "CLASSIFIED BY THE".

Page 2, strike lines 13 through 15 and substitute "THAT WAS EXEMPT FROM THE STATE PERSONNEL SYSTEM PRIOR TO JANUARY 1, 2017, MAY REMAIN EXEMPT FROM THE STATE PERSONNEL".

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB17-1289** 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, strike everything below the enacting clause and substitute:

"**SECTION 1.** (1) During the 2017 interim, the water resources review committee created in section 37-98-102, C.R.S., shall study the issue of whether the state engineer should be given statutory authority to promulgate rules that would:

(a) Adopt a nonbinding, streamlined methodology for determining factors and using other assumptions for calculating the historical consumptive use of a water right;

(b) Provide guidance for all components of an historical consumptive use analysis for a change of water right using geographically specific considerations; and

(c) Ensure that the calculation of the historical consumptive use complies with section 37-92-305 (3), C.R.S.

(2) The goal of the study is to investigate the feasibility, costs, and impacts of providing a nonbinding alternative to other methods of calculating historical consumptive use of a water right that may reduce transaction costs and the time necessary to obtain approval of loans and temporary and permanent changes of water rights while ensuring that no injury results from the approval.

(3) The committee shall consider:

(a) Whether the rules, if authorized, should apply in only particularly identified water divisions and how the rules ought to take into account division-specific factors;

(b) The potential cost of promulgating the rules; and

(c) How the rules should be paid for.

SECTION 2. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SCR17-002** be postponed indefinitely.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB17-301** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 4, line 8, strike "COLORADO-BASED".

Page 5, strike lines 4 and 5.

Renumber succeeding subparagraphs accordingly.

Page 5, strike line 18-27.

Page 6, strike lines 1 through 3.

Page 6, lines 5 and 6, strike "PRODUCTION AND GATHERING RESOURCES AND INCLUDE THEM IN ITS RATE BASE" and substitute "RESERVES AT SHAREHOLDER RISK".

Page 6, lines 8 and 9, strike "PRODUCTION AND GATHERING RESOURCE" and substitute "RESERVE".

Page 6, lines 18 and 19, strike "PRODUCTION AND GATHERING RESOURCES" and substitute "RESERVES".

Page 6, line 27, strike "PRODUCTION" and substitute "RESERVE.".

Page 7, strike line 1.

Page 7, line 7, strike "IN WHOLE OR IN PART".

Page 7, strike lines 9 through 13.

Renumber succeeding subparagraphs accordingly.

Page 7, strike lines 19 through 27.

Page 8, strike lines 1 and 2 and substitute:

"(4) (a) THE COMMISSION SHALL APPROVE AN APPLICATION IF THE APPLICATION ENHANCES AN".

Page 8, line 5, strike "PLAN" and substitute "APPLICATION".

Page 8, line 10, strike "PRODUCTION AND GATHERING RESOURCES" and substitute "RESERVES".

Page 8, line 15, strike "NOT BE" and substitute "ONLY BE" and strike "UNLESS" and substitute "IF".

Page 8, line 17, strike "AFFECTED." and substitute "AFFECTED BY THE REMOVAL.".

Page 8, lines 18 and 19, strike "NATURAL GAS PRODUCTION AND GATHERING ASSETS COSTS OF SERVICE" and substitute "THE COST OF ACQUIRING NATURAL GAS RESERVES".

Page 8, strike lines 26 and 27 and substitute "PORTFOLIO.".

Page 9, strike lines 1 through 3.

Page 9, before line 4 insert:

"(d) AN INVESTOR-OWNED UTILITY'S COSTS ASSOCIATED WITH ANY APPROVED APPLICATION MAY NOT BE RECOVERED THROUGH ANY RATE ADJUSTMENT.

SECTION 3. In Colorado Revised Statutes, **add** 40-2-126.5 as follows:

40-2-126.5. Distribution facilities - improvements to distribution grid - planning - approval - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "DISTRIBUTED ENERGY RESOURCES" MEANS DISTRIBUTED GENERATION, AS DEFINED IN SECTION 40-2-124 (1)(a)(III), AS WELL AS DEMAND RESPONSE PROGRAMS AND DISTRIBUTED ENERGY STORAGE.

(b) "DISTRIBUTION RESOURCE PLAN" MEANS A PLAN FOR:

(I) DISTRIBUTION GRID UPGRADES AND INVESTMENTS; AND

(II) FORECASTING OF DISTRIBUTED GENERATION DEMAND AND PENETRATION, AND INVESTMENTS TO ACCOMMODATE THAT DEMAND AND PENETRATION.

(c) "QUALIFYING RETAIL UTILITY" MEANS INVESTOR-OWNED ELECTRIC UTILITIES SERVING MORE THAN FIVE HUNDRED THOUSAND CUSTOMERS IN COLORADO AND DOES NOT INCLUDE MUNICIPALLY-OWNED ELECTRIC UTILITIES OR COOPERATIVE ELECTRIC ASSOCIATIONS.

(2) AS PART OF THE ELECTRIC RESOURCE PLANNING PROCESS, EACH QUALIFYING RETAIL UTILITY IN COLORADO SHALL SUBMIT TO THE COMMISSION A PROPOSAL FOR A DISTRIBUTION RESOURCE PLAN.

(3) THE COMMISSION SHALL REVIEW EACH QUALIFYING RETAIL UTILITY'S DISTRIBUTION RESOURCE PLAN PROPOSAL AND APPROVE, MODIFY AND APPROVE, OR REJECT A DISTRIBUTION RESOURCE PLAN FOR THE QUALIFYING RETAIL UTILITY.

(4) AFTER APPROVAL OF A QUALIFYING RETAIL UTILITY'S DISTRIBUTION RESOURCE PLAN, THE QUALIFYING RETAIL UTILITY'S EXPENDITURES FOR DISTRIBUTION INFRASTRUCTURE NECESSARY TO EFFECTUATE THE PLAN MAY BE PROPOSED AND CONSIDERED AS PART OF THE NEXT GENERAL RATE CASE FOR THE QUALIFYING RETAIL UTILITY. THE COMMISSION MAY APPROVE THESE EXPENDITURES IF IT CONCLUDES THAT RATEPAYERS WOULD REALIZE NET BENEFITS AND THE ASSOCIATED COSTS ARE JUST AND REASONABLE. THE COMMISSION SHALL ALSO ADOPT CRITERIA, BENCHMARKS, AND ACCOUNTABILITY MECHANISMS TO EVALUATE THE SUCCESS OF ANY INVESTMENT AUTHORIZED PURSUANT TO A DISTRIBUTION RESOURCE PLAN.".

Renumber succeeding sections accordingly.

Page 56, line 7, strike "IS" and substitute "OR PRIVATE THIRD PARTY THAT IS FINANCING THE IMPROVEMENTS ARE".

page 57, after line 14 insert:

"**SECTION 25. No appropriation.** The general assembly has determined that section 2 of this act can be implemented within existing appropriations, and therefore no separate appropriation of state money is necessary to carry out the purposes of section 2 of this act.".

Renumber succeeding section accordingly.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB17-300** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **add** article 22.5 to title 10 as follows:

ARTICLE 22.5

Colorado High-risk Health Care Coverage Study

10-22.5-101. Short title. THE SHORT TITLE OF THIS ARTICLE 22.5 IS THE "COLORADO HIGH-RISK HEALTH CARE COVERAGE STUDY ACT".

10-22.5-102. Legislative declaration. THE GENERAL ASSEMBLY HEREBY DECLARES THAT, WITH RISING RATES IN THE INDIVIDUAL HEALTH INSURANCE MARKET AND POTENTIAL MODIFICATIONS TO FEDERAL LAW THAT MAY IMPACT THE INDIVIDUAL HEALTH INSURANCE MARKET IN COLORADO AND ACCESS TO HEALTH CARE COVERAGE BY INDIVIDUALS THAT ARE HIGH RISK DUE TO A MEDICAL CONDITION, IT IS IMPORTANT FOR COLORADO TO BE IN A POSITION TO UNDERSTAND AND PROACTIVELY RESPOND TO FUTURE FEDERAL PROGRAMS AND GUIDANCE THAT MAY BE ENACTED WHILE THE COLORADO GENERAL ASSEMBLY IS NOT IN SESSION. ACCORDINGLY, THE PURPOSE OF THIS ARTICLE 22.5 IS TO AUTHORIZE THE COMMISSIONER OF INSURANCE AND THE DIVISION OF INSURANCE TO STUDY WAYS TO PROVIDE ACCESS TO HEALTH CARE COVERAGE FOR THOSE COLORADO RESIDENTS WHO ARE CONSIDERED HIGH RISK BECAUSE OF A MEDICAL CONDITION AND TO EXAMINE WAYS TO REDUCE HEALTH INSURANCE PREMIUMS IN THE INDIVIDUAL HEALTH INSURANCE MARKET.

10-22.5-103. Definitions. AS USED IN THIS ARTICLE 22.5, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "CARRIER" HAS THE SAME MEANING AS SET FORTH IN SECTION 10-16-102 (8).

(2) "COMMISSIONER" MEANS THE COMMISSIONER OF INSURANCE OR THE COMMISSIONER'S DESIGNEE.

(3) "DIVISION" MEANS THE DIVISION OF INSURANCE ESTABLISHED IN SECTION 10-1-103.

(4) "FEDERAL ACT" MEANS THE "PATIENT PROTECTION AND AFFORDABLE CARE ACT", PUB.L. 111-148, AS AMENDED BY THE "HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010", PUB.L. 111-152, AND AS MAY BE FURTHER AMENDED, AND INCLUDING ANY FEDERAL REGULATIONS ADOPTED UNDER THE FEDERAL ACT.

(5) "HIGH-RISK INDIVIDUAL" MEANS AN INDIVIDUAL WHO HAS A MEDICAL CONDITION THAT IS LIKELY TO RESULT IN HIGH HEALTH CARE COSTS.

(6) "REINSURANCE" MEANS THE ASSUMPTION OF ALL OR PART OF A RISK UNDERTAKEN ORIGINALLY BY AN INSURER.

10-22.5-104. High-risk health care coverage study - commissioner to conduct - report. (1) THE COMMISSIONER SHALL STUDY METHODS OF PROVIDING HEALTH CARE COVERAGE TO HIGH-RISK INDIVIDUALS AND REDUCING HEALTH INSURANCE PREMIUMS IN THE INDIVIDUAL MARKET. IN CONDUCTING THE STUDY, THE COMMISSIONER AND THE DIVISION SHALL ENGAGE WITH AND SEEK ONGOING INPUT FROM CARRIERS, CONSUMER GROUPS, AND OTHER INTERESTED STAKEHOLDERS.

(2) AS PART OF THE STUDY, THE COMMISSIONER SHALL EXPLORE THE FEASIBILITY OF PROVIDING HEALTH CARE COVERAGE FOR HIGH-RISK INDIVIDUALS AND REDUCING PREMIUMS THROUGH A HIGH-RISK POOL, REINSURANCE PROGRAM, OR OTHER HIGH-RISK PROGRAMS, AND SHALL TAKE INTO CONSIDERATION:

(a) ANY REQUIREMENTS IMPOSED UNDER THE FEDERAL ACT OR OTHER APPLICABLE FEDERAL LAWS AND REGULATIONS TO QUALIFY FOR FEDERAL FINANCIAL SUPPORT;

(b) POTENTIAL FINANCIAL IMPACTS TO CONSUMERS AND THE BUSINESS COMMUNITY;

(c) POTENTIAL FUNDING MECHANISMS AND OTHER MEASURES TO ENSURE THE LONG-TERM FINANCIAL SUSTAINABILITY OF A HIGH-RISK OR REINSURANCE PROGRAM; AND

(d) THE NECESSARY PROCEDURAL REQUIREMENTS THAT THE STATE MUST FULFILL IN ORDER TO APPLY FOR AND SEEK APPROVAL OF ANY WAIVER OR OTHER AUTHORIZATION THAT MAY BE REQUIRED UNDER THE FEDERAL ACT OR OTHER APPLICABLE FEDERAL LAW.

(3) (a) UPON COMPLETION OF THE STUDY, THE COMMISSIONER SHALL SUBMIT A REPORT ON THE STUDY TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY, THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, AND THE HEALTH, INSURANCE, AND

ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, BY OCTOBER 1, 2017, WHICH REPORT MAY BE CONSIDERED, AS NECESSARY, IN THE BUDGETING PROCESS. THE COMMISSIONER SHALL REPORT, AT A MINIMUM, ON THE AREAS INCLUDED IN THE STUDY, AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION.

(b) IN ADDITION TO SUBMITTING THE REPORT AS REQUIRED BY THIS SUBSECTION (3), THE COMMISSIONER SHALL PRESENT THE REPORT TO THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE AND THE HEALTH, INSURANCE, AND ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, DURING THE COMMITTEES' HEARINGS HELD PRIOR TO THE 2018 REGULAR SESSION UNDER THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.

10-22.5-105. Gifts, grants, donations, and federal funding - authority to accept and expend. THE COMMISSIONER MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, DONATIONS FROM PRIVATE OR PUBLIC SOURCES OR ANY FEDERAL FUNDING TO DEFRAY THE COSTS OF CONDUCTING THE STUDY PURSUANT TO SECTION 10-22.5-104.

10-22.5-106. Repeal. THIS ARTICLE IS REPEALED, EFFECTIVE JUNE 30, 2018.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Page 1, line 104, strike "**STATE.**" and substitute "**STATE, AND, IN CONNECTION THEREWITH, DIRECTING THE COMMISSIONER TO STUDY ISSUES RELATED TO THE IMPLEMENTATION OF SUCH PROGRAMS.**".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB17-1306** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 3, strike "GUIDELINES;" and substitute "GUIDELINES AND".

Page 3, strike lines 6 through 8 and substitute "COMMUNICATION GUIDANCE. THE COMMISSION MAY".

Judiciary

After consideration on the merits, the Committee recommends that **HB17-1204** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 6, strike "(5),".

Page 7, strike lines 7 through 27.

Page 8, strike line 1.

Page 13, line 8, after "ANY" insert "JUVENILE OR".

Page 13, line 20, after "DISCUSSING" insert "WITH THE VICTIM".

Page 14, after line 13 insert:

"(f) NOTWITHSTANDING ANY ORDER FOR EXPUNGEMENT ISSUED PURSUANT TO THIS SECTION, NOTHING IN THIS SECTION PRECLUDES A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES EMPLOYEE FROM REVIEWING INTERNAL DEPARTMENT RECORDS THAT ARE ORDERED

EXPUNGED AND ARE IN THE COUNTY DEPARTMENT'S POSSESSION FOR PURPOSES OF DEPARTMENT INVESTIGATIONS AND CASE MANAGEMENT IN THE PROVISION OF CHILD WELFARE SERVICES.".

Page 15, lines 4 and 5, strike "AND EACH AGENCY, PERSON, COMPANY, OR ORGANIZATION NAMED THEREIN," and substitute "THE PROSECUTING ATTORNEY, THE LAW ENFORCEMENT AGENCY OR AGENCIES THAT INVESTIGATED THE CASE, THE STATE COURT ADMINISTRATOR'S OFFICE, AND THE COLORADO BUREAU OF INVESTIGATION,".

Page 16, strike lines 9 through 12 and substitute "MISDEMEANOR OR A PETTY OR A MISDEMEANOR OFFENSE THAT IS NOT ELIGIBLE FOR EXPUNGEMENT UNDER SUBSECTION (4) OF THIS SECTION, IF THE OFFENSE DID NOT INVOLVE UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102 (9).".

Page 17, line 13, strike "RECEIPT" and substitute "THE ISSUANCE".

Page 17, line 14, strike "BY THE PROSECUTING ATTORNEY".

Page 18, line 18, strike "ON OR BEFORE NOVEMBER 1 OF EACH YEAR," and substitute "STARTING ON NOVEMBER 1, 2019, AND EACH NOVEMBER 1 THEREAFTER,".

Page 19, line 7, after "CONSENT," insert "OR IF THERE IS NO NAMED VICTIM,".

Page 19, strike lines 15 through 17 and substitute:

"(j) A JUVENILE WHO WAS ADJUDICATED AS A MANDATORY SENTENCE OFFENDER PURSUANT TO SECTION 19-2-516 (1) OR AS A REPEAT JUVENILE OFFENDER PURSUANT TO SECTION 19-2-516 (2) IS NOT ELIGIBLE FOR EXPUNGEMENT UNDER THIS SUBSECTION (5), BUT MAY PETITION FOR EXPUNGEMENT PURSUANT TO SUBSECTION (6) OF THIS SECTION.

(6) (a) A PERSON MAY PETITION THE JUVENILE COURT TO EXPUNGE RECORDS IN A CLOSED CASE PURSUANT TO SUBSECTION (4) OF THIS SECTION IF THE RECORDS ARE OTHERWISE ELIGIBLE FOR EXPUNGEMENT, HAVE NOT BEEN EXPUNGED BY THE COURT, AND A PROCEEDING CONCERNING A FELONY, MISDEMEANOR, OR DELINQUENCY ACTION IS NOT PENDING AGAINST THE PETITIONER. A FILING FEE, NOTARIZATION, OR OTHER FORMALITIES ARE NOT REQUIRED. IF THE COURT DETERMINES THE RECORDS ARE ELIGIBLE FOR EXPUNGEMENT PURSUANT TO THE REQUIREMENTS OF SUBSECTION (4) OF THIS SECTION, THE COURT SHALL GRANT THE PETITION TO EXPUNGE WITHOUT A HEARING AND SHALL ISSUE AN ORDER PURSUANT TO SUBSECTION (4) OF THIS SECTION.

(b) A PERSON MAY PETITION THE JUVENILE COURT TO EXPUNGE RECORDS IN A CLOSED CASE PURSUANT TO SUBSECTION (5) OF THIS SECTION IF THE RECORDS ARE OTHERWISE ELIGIBLE FOR EXPUNGEMENT, HAVE NOT BEEN EXPUNGED BY THE COURT, AND A PROCEEDING CONCERNING A FELONY, MISDEMEANOR, OR DELINQUENCY ACTION IS NOT PENDING AGAINST THE PETITIONER. A FILING FEE, NOTARIZATION, OR OTHER FORMALITIES ARE NOT REQUIRED. IF THE RECORDS ARE ELIGIBLE FOR EXPUNGEMENT PURSUANT TO SUBSECTION (5) OF THIS SECTION, THE COURT SHALL ISSUE A NOTICE PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION AND THE PROVISIONS OF SUBSECTION (5) OF THIS SECTION APPLY.

(c) A PERSON MAY PETITION THE JUVENILE COURT TO EXPUNGE RECORDS RELATED TO A LAW ENFORCEMENT CONTACT THAT DID NOT RESULT IN REFERRAL TO ANOTHER AGENCY AFTER ONE YEAR HAS PASSED SINCE THE LAW ENFORCEMENT CONTACT AND A PROCEEDING CONCERNING A FELONY, MISDEMEANOR, OR DELINQUENCY ACTION IS NOT PENDING AGAINST THE PETITIONER. A FILING FEE, NOTARIZATION, OR OTHER FORMALITIES ARE NOT REQUIRED. IF THE RECORDS ARE ELIGIBLE FOR EXPUNGEMENT PURSUANT TO SUBSECTION (5) OF THIS SECTION, THE COURT SHALL ISSUE A NOTICE PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION AND THE PROVISIONS OF SUBSECTION (5) OF THIS SECTION APPLY.

(d) A PERSON MAY PETITION THE JUVENILE COURT TO EXPUNGE RECORDS IN A CLOSED CASED PURSUANT TO SUBSECTION (5) OF THIS SECTION IF THE PERSON WAS PREVIOUSLY DENIED AN EXPUNGEMENT ORDER FOR THOSE SAME RECORDS PURSUANT TO SUBSECTION (5) OF THIS

SECTION AND AT LEAST TWELVE MONTHS HAVE PASSED SINCE THE DATE OF THE ORIGINAL DENIAL ORDER, THE PETITIONER PROVIDES NEW INFORMATION NOT PREVIOUSLY CONSIDERED BY THE PRIOR REVIEWING COURT, AND A PROCEEDING CONCERNING A FELONY, MISDEMEANOR, OR DELINQUENCY ACTION IS NOT PENDING AGAINST THE PETITIONER. THE COURT SHALL SCHEDULE A HEARING AND NOTIFY THE PROSECUTING ATTORNEY OF THE HEARING DATE. THE COURT SHALL SET THE HEARING AT LEAST THIRTY-FIVE DAYS AFTER THE COURT SENDS THE NOTICE OF THE HEARING. ALL OTHER PROVISIONS OF SUBSECTION (5) OF THIS SECTION APPLY.

(e) A JUVENILE WHO WAS ADJUDICATED AS A MANDATORY SENTENCE OFFENDER PURSUANT TO SECTION 19-2-516 (1) OR AS A REPEAT OFFENDER PURSUANT TO SECTION 19-2-516 (2), AND IS NOT OTHERWISE INELIGIBLE FOR EXPUNGEMENT PURSUANT TO THE PROVISIONS OF SUBSECTION (8) OF THIS SECTION AND DOES NOT HAVE A PROCEEDING CONCERNING A FELONY, MISDEMEANOR, OR DELINQUENCY ACTION PENDING AGAINST HIMSELF OR HERSELF, MAY PETITION THE COURT TO REQUEST EXPUNGEMENT OF HIS OR HER RECORD THIRTY-SIX MONTHS AFTER THE DATE OF THE PETITIONER'S UNCONDITIONAL RELEASE FROM HIS OR HER JUVENILE SENTENCE. A FILING FEE, NOTARIZATION, OR OTHER FORMALITIES ARE NOT REQUIRED. THE COURT SHALL ISSUE A NOTICE PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION AND THE PROVISIONS OF SUBSECTION (5) OF THIS SECTION APPLY.

(7) UNLESS OTHERWISE STATED IN THE APPLICABLE SECTION, A PERSON MAY FILE A PETITION WITH THE COURT FOR EXPUNGEMENT OF HIS OR HER RECORD PURSUANT TO SUBSECTIONS (4), (5), AND (6) OF THIS SECTION ONLY ONCE DURING A TWELVE-MONTH PERIOD.".

Renumber succeeding subsections accordingly.

Page 19, lines 18 and 19, strike "SUBSECTIONS (4) AND (5) OF THIS SECTION," and substitute "SUBSECTIONS (4), (5), AND (6) OF THIS SECTION,".

Page 19, line 22, strike "19-2-516 (4);" and substitute "19-2-516 (4) OR AS A VIOLENT JUVENILE OFFENDER PURSUANT TO SECTION 19-2-516 (3);".

Page 19, strike line 27 and substitute:

"(d) CHARGED, ADJUDICATED, OR CONVICTED OF ANY OFFENSE OR INFRACTION PURSUANT TO TITLE 42.".

Page 20, strike lines 1 through 3.

Page 20, line 6, after "ORDINANCE," insert "EXCLUDING OFFENSES CHARGED PURSUANT TO TITLE 42,".

Page 20, strike lines 11 through 24.

Reletter succeeding paragraphs accordingly.

Page 20, line 27, strike "(7)(a)" and substitute "(9)(a)".

Page 21, line 6, strike "(7)(a)" and substitute "(9)(a)".

Page 21, line 9, strike "(7)(d)" and substitute "(9)(c)".

Page 21, line 19, strike "(7)," and substitute "(9),".

Page 22, line 5, strike "(7)" and substitute "(9)".

Page 22, line 12, strike "(7)" and substitute "(9)".

Page 22, line 22, strike "(7)" and substitute "(9)".

Page 24, line 2, strike "OR SHOULD HAVE KNOWN".

Page 24, line 18, after "ANY" insert "JUVENILE OR".

Page 24, after line 23 insert:

"**SECTION 4.** In Colorado Revised Statutes, 18-1.3-701, **add** (4.5) as follows:

18-1.3-701. Judgment for costs and fines. (4.5) NOTWITHSTANDING THE ENTRY OF AN ORDER OF EXPUNGEMENT PURSUANT TO SECTION 19-1-306, THE PROVISIONS OF THIS PART 7 APPLY.".

Renumber succeeding sections accordingly.

Page 25, line 25, strike "NOT".

Page 26, strike lines 10 through 27.

Page 27, strike lines 1 through 10.

Renumber succeeding sections accordingly.

Page 28, line 22, strike "September" and substitute "November".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1336** be postponed indefinitely.

MESSAGE FROM THE REVISOR OF STATUTES

May 3, 2017

We herewith transmit:

Without comment, HB17-1002.
Without comment, as amended, HB17-1090, 1121, 1259, 1266, 1277, 1303, and 1315.
Without comment, as amended, SB17-074, 111, and 126.
With comments, as amended, HB17-1313.
Without comment, as amended, SB17-216.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB17-1002 by Representative(s) Pettersen and Exum; also Senator(s) Kefalas and Martinez Humenik--Concerning the extension of the income tax credit for child care expenses paid by a resident individual with a federal adjusted gross income of twenty-five thousand dollars or less.
Finance

HB17-1090 by Representative(s) Kraft-Tharp and Wilson; also Senator(s) Gardner and Kefalas--Concerning the advanced industry investment tax credit, and, in connection therewith, making an appropriation.
Finance

HB17-1121 by Representative(s) Buckner; also Senator(s) Todd--Concerning certain health care professions regulated by the department of regulatory agencies, and, in connection therewith, requiring criminal history record checks for individuals with prescriptive authority and certified nurse aides, repealing the nurse licensure compact, enacting the enhanced nurse licensure compact, and, making an appropriation.
State, Veterans, & Military Affairs

HB17-1259 by Representative(s) Weissman; also Senator(s) Fenberg--Concerning a requirement that an independent expenditure committee created by a candidate for public office is subject to constitutional requirements governing limits on contributions to such candidates.
State, Veterans, & Military Affairs

HB17-1266 by Representative(s) Hooton and Melton; also Senator(s) Fenberg and Marble--Concerning allowing persons who were convicted of misdemeanors for marijuana-related behaviors that are no longer illegal to petition for the sealing of criminal records relating to such convictions.
Finance

HB17-1277 by Representative(s) Mitsch Bush; also Senator(s) Martinez Humenik--Concerning the authority of the department of revenue to suspend the driver's license of a driver who leaves the scene of an accident involving serious bodily injury.
Finance

HB17-1303 by Representative(s) Wist and Lee, Van Winkle; also Senator(s) Gardner and Kagan, Cooke--Concerning the judicial performance evaluation system, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB17-1313 by Representative(s) Herod and Humphrey, Lebsock, Van Winkle, Leonard, Coleman, Esgar, Hooton, McKean, Melton, Neville P., Pettersen, Saine, Salazar, Williams D.; also Senator(s) Neville T. and Kagan, Marble, Lundberg, Cooke, Hill, Aguilar, Court, Fenberg, Grantham, Guzman, Holbert, Jahn, Kefalas, Kerr, Lambert, Merrifield, Moreno, Priola, Scott, Smallwood, Tate, Todd, Williams A., Zenzinger--Concerning civil forfeiture reform, and, in connection therewith, making an appropriation.
Finance

HB17-1315 by Representative(s) Singer and Lawrence; also Senator(s) Gardner and Fields--Concerning the acquisition of data to analyze the types of DUI offenses being committed by offenders and, in connection therewith, making an appropriation.
Finance

MESSAGE FROM THE GOVERNOR

May 3, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-148: CONCERNING THE CONTINUATION OF THE OFFICE OF BOXING IN THE DIVISION OF PROFESSIONS AND OCCUPATIONS IN THE DEPARTMENT OF REGULATORY AGENCIES, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS OF THE 2016 SUNSET REPORT OF THE DEPARTMENT OF REGULATORY AGENCIES AND MAKING AN APPROPRIATION.

Approved May 3, 2017 at 2:03pm

SB17-268: CONCERNING AN INCREASE IN THE NUMBER OF PHARMACY TECHNICIANS A PHARMACIST MAY SUPERVISE.

Approved May 3, 2017 at 2:14pm

SB17-214: CONCERNING THE CREATION OF THE VOLUNTARY FIREFIGHTER CANCER BENEFITS PROGRAM.

Approved May 3, 2017 at 2:18pm

SB17-258: CONCERNING THE USE OF OPEN EDUCATIONAL RESOURCES IN PUBLIC INSTITUTIONS OF HIGHER EDUCATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 3, 2017 at 2:32pm

SB17-247: CONCERNING THE QUALIFICATIONS OF ELECTRICIANS, AND, IN CONNECTION THEREWITH, ALLOWING ONLY PERSONS WHO HAVE PASSED THE WRITTEN RESIDENTIAL WIREMAN'S EXAMINATION TO ACT AS RESIDENTIAL INSPECTORS AND WAIVING THE CONTINUING EDUCATION REQUIREMENT DURING THE FIRST LICENSE PERIOD FOR AN ELECTRICIAN WHO PASSED THE APPROPRIATE WRITTEN EXAMINATION.

Approved May 3, 2017 at 2:34pm

SB17-227: CONCERNING THE NONSUBSTANTIVE RELOCATION OF LAWS RELATED TO ATTORNEYS-AT-LAW FROM TITLE 12, COLORADO REVISED STATUTES, AS PART OF THE ORGANIZATIONAL RECODIFICATION OF TITLE 12.

Approved May 3, 2017 at 2:34pm

SB17-259: CONCERNING A TRANSFER OF MONEY FROM THE GENERAL FUND TO CASH FUNDS ADMINISTERED BY STATE DEPARTMENTS FOR THE PROTECTION OF THE STATE'S NATURAL RESOURCES.

Approved May 3, 2017 at 2:30pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB17-1057.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, May 3, 2017, at 3:00 p.m.:
SB17-217 and 218.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Hill, Chair, Gardner, and Garcia were appointed as Senate conferees on the first conference committee on **HB17-1004**.

TRIBUTES

Honoring:

Sylvia Maez -- By Senator Leroy Garcia.
Karen Conry -- By Senator Leroy Garcia.
Michelle Randall-Garcia -- By Senator Leroy Garcia.
Paula McPheeters -- By Senator Leroy Garcia.
Sheena Archuleta -- By Senator Leroy Garcia.

Sophie Markuson DiPrince -- By Senator Leroy Garcia.
Betty Nufer -- By Senator Leroy Garcia.
Elisa Gallegos -- By Senator Leroy Garcia.
Christina Anderson -- By Senator Leroy Garcia.
Denise Weber -- By Senator Leroy Garcia.
Evangelina Matola -- By Senator Leroy Garcia.
Elysia Bassett -- By Senator Leroy Garcia.
Mona Petrocco Klein -- By Senator Leroy Garcia.
Michelle DesLauriers -- By Senator Leroy Garcia.
Colorado Educators -- By Senator Andy Kerr.
Dr. Thomas Bindle -- By Senator Rachel Zenzinger.
Martha Nogare -- By Senator Leroy Garcia.
Ivestine White -- By Senator Leroy Garcia.
Basalt Barber Shop -- Senator Kerry Donovan.
Moe's Broadway Bagel -- Senator Steve Fenberg.
Illegal Pete's -- Senator Steve Fenberg.
Sweet Cow -- Senator Steve Fenberg.
Lucile's Creole Café -- Senator Steve Fenberg.
Jax Fish House and Oyster Bar -- Senator Steve Fenberg.
The Mediterranean Restaurant -- Senator Steve Fenberg.
Efrain's -- Senator Steve Fenberg.
Lucky's Bakehouse and Creamery -- Senator Steve Fenberg.
Avery Brewing Company -- Senator Steve Fenberg.
Hazel's Beverage World -- Senator Steve Fenberg.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, May 4, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

114th Legislative Day Thursday, May 4, 2017

Prayer — By the chaplain, Dr. Gene Selander, Crystal Clear Ministries, Denver.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--32
Excused--3, Marble, Moreno, Priola.
Present later--2, Moreno, Priola.

Quorum — The President announced a quorum present.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 1 (b) was suspended to allow a person other than a Senator to lead the Pledge of Allegiance.

Pledge — By Simon Moss.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Wednesday, May 3, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology — The Committee on Business, Labor, & Technology 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
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for a term expiring December 13, 2019:

Sarah Hayes of Lafayette, Colorado, representing executives with good risk management experience in the insurance industry, and as Democrat, reappointed.

SENATE SERVICES REPORT

Correctly Printed: SB17-305.
Correctly Engrossed: SJR17-041.
Correctly Reengrossed: SB17-207 and 299.
Correctly Revised: HB17-1139, 1252, 1274, 1279, 1302, and 1330.
Correctly Rerevised: HB17-1077, 1087, 1212, 1250, 1265, and 1291.
Correctly Enrolled: SB17-096, 103, 193, 198, 209, 254, 271, 291, and 293; SJR17-036.

MESSAGE FROM THE HOUSE

May 3, 2017

Mr. President:

The House has postponed indefinitely SB17-289. The bill is returned herewith.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

HJR17-1025 by Representative(s) Williams D. and Salazar, Coleman, Covarrubias, Humphrey, Lebsock, Neville P.; also Senator(s) Hill and Moreno--Concerning the request that Governor Hickenlooper exercise his authority to grant clemency to Rene Lima-Marin.

On motion of Senator Moreno, the resolution was read at length and **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Grantham, Jahn, Jones, Kagan, Kefalas, Kerr, Lundberg, Martinez Humenik, Merrifield, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

SB17-306 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a direct transfer of money from the high cost support mechanism to broadband deployment grant applicants with proposed broadband deployment projects that have been approved by the broadband deployment board for a grant award, and, in connection therewith, requiring segregation of funds for basic voice service from funds for broadband deployment.
Appropriations

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1279 by Representative(s) Garnett and Saine, Wist, Duran; also Senator(s) Tate and Guzman, Williams A., Hill--Concerning the requirement that a unit owners' association obtain approval through a vote of unit owners before filing a construction defect action.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Fenberg, Fields, Gardner, Grantham, Holbert, Jahn, Kagan, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Scott, Smallwood, Sonnenberg, Todd, and Zenzinger.

HB17-1139 by Representative(s) Landgraf and Michaelson Jenet; also Senator(s) Martinez Humenik and Kefalas--Concerning improving medicaid client protections through effective enforcement of medicaid provider requirements.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Kerr, Merrifield, Moreno, and Todd.

HB17-1274 by Representative(s) Ginal; also Senator(s) Baumgardner--Concerning the limited circumstances under which a veterinarian may use a compounded pharmaceutical drug for the treatment of an animal patient that is a food animal.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	3	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder and Sonnenberg.

HB17-1252 by Representative(s) Ginal; also Senator(s) Hill--Concerning the collection of court costs from persons who are convicted of criminal offenses.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jahn.

HB17-1330 by Representative(s) Lee and Wist, Pabon; also Senator(s) Fields and Cooke, Gardner, Kagan, Lundberg, Marble, Todd, Williams A., Zenzinger--Concerning disallowing the use of certain convictions for the purpose of adjudicating a person an habitual criminal.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Moreno and Tate.

HB17-1302 by Representative(s) Lee and Willett; also Senator(s) Gardner and Fields--Concerning matters related to sexually explicit images of a juvenile, and, in connection therewith, requiring a post-enactment review of the implementation of this act.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Court, Crowder, Garcia, Guzman, Jahn, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Tate, Todd, Williams A., and Zenzinger.

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:

HB17-1113 by Representative(s) Willett and Arndt; also Senator(s) Scott--Concerning electronic participation in committee meetings during the legislative interim.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	14	EXCUSED	2	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	E	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	N	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kerr.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1293 by Representative(s) Melton; also Senator(s) Todd--Concerning the ability of a local government official to serve on a nonprofit entity's board of directors.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, May 2, page 1029 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB17-302 by Senator(s) Coram; also Representative(s) Catlin and McLachlan--Concerning a clarification of the exemption from property tax of silvicultural equipment.

Ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

The Committee of the Whole took the following action:

Passed on second reading: SB17-302, HB17-1293 as amended.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1317 by Representative(s) Esgar and Hansen; also Senator(s) Baumgardner and Kefalas--Concerning the authority of the state historical society to dispose of real property located on the former Lowry Air Force base.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1317.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-216 by Senator(s) Gardner; also Representative(s) Becker K. and Lontine--Concerning continuation of the regulation of collection agencies under the "Colorado Fair Debt Collection Practices Act", and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies and making an appropriation.

Senator Gardner moved that the Senate concur in House amendments to **SB17-216**, as printed in House journal, May 2, page(s) 1230-1231. The motion was **adopted** by the following roll call vote:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-111 by Senator(s) Neville T.; also Representative(s) Michaelson Jenet and Gray--Concerning measures to address medical marijuana inventory shortfalls.

Laid over until Friday, May 5, retaining its place on the calendar.

SB17-074 by Senator(s) Garcia, Jahn, Todd; also Representative(s) Esgar--Concerning the creation of a pilot program in certain areas of the state experiencing high levels of opioid addiction to award grants to increase access to addiction treatment, and, in connection therewith, making an appropriation.

Laid over until Friday, May 5, retaining its place on the calendar.

SB17-126 by Senator(s) Guzman and Gardner; also Representative(s) Hamner and Willett--Concerning the Colorado domestic violence fatality review board, and, in connection therewith, making an appropriation.

Senator Gardner moved that the Senate concur in House amendments to **SB17-126**, as printed in House journal, May 2, page 1232. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB17-305** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, line 10, after "affiliation" insert "OR PROVIDED A BALLOT PREFERENCE".

Page 4, line 19, strike "void" and substitute "~~void~~ REJECTED".

Page 5, strike line 27 and substitute "AFFILIATION OR PROVIDED A BALLOT PREFERENCE WITH A POLITICAL PARTY A BALLOT PACKET THAT CONTAINS THE".

Page 6, line 1, strike "MAILING" and substitute "BALLOT PACKET".

Page 6, line 10, strike "VOID" and substitute "REJECTED".

Page 8, after line 6, insert:

"**SECTION 5.** In Colorado Revised Statutes, 1-7.5-107, **amend** (3)(a)(II); and **repeal** (2.5)(a)(II) as follows:

1-7.5-107. Procedures for conducting mail ballot election - primary elections - first-time voters casting a mail ballot after having registered by mail to vote - in-person request for ballot - repeal. (2.5) (a) (II) ~~For a primary mail ballot election, in addition to the items described in the notice required by subparagraph (I) of this paragraph (a), such notice shall advise eligible electors who are not affiliated with a political party of the ability to vote in the primary election of any political party. The notice must clearly and conspicuously advise electors that any primary ballot containing votes for a candidate of more than one political party shall not be counted.~~

(3)(a)(II) For a primary mail ballot election, the mail ballot packet must be mailed only to ~~those~~ active registered electors. ~~who are affiliated with a political party that is participating in the election~~. If the twenty-second day before an election is a Saturday, Sunday, or legal holiday, the county clerk and recorder or designated election official may mail ballot packets pursuant to subparagraph (I) of this paragraph (a) on the Friday immediately preceding the twenty-second day.".

Renumber succeeding sections accordingly.

Page 8, strike lines 7 through 14 and substitute:

"**SECTION 6.** In Colorado Revised Statutes, 1-7.5-106.5, **amend** (3) as follows:

1-7.5-106.5. Registration record - list of mail ballots. (3) The county clerk and recorder or designated election official shall ~~keep a list of~~ RECORD IN THE STATEWIDE VOTER REGISTRATION SYSTEM CREATED IN SECTION 1-2-301 (1) THE names and precinct numbers of eligible electors, together with the date on which the mail ballot was sent and the date on which each mail ballot was returned or otherwise cast. FOR UNAFFILIATED ELECTORS IN A PRIMARY ELECTION, THE COUNTY CLERK AND RECORDER SHALL RECORD WHICH POLITICAL PARTY'S BALLOT THE ELECTOR CAST. If a mail ballot is not returned or otherwise cast, or if it is rejected and not counted, that fact ~~shall be noted on the list~~ MUST BE RECORDED IN THE STATEWIDE VOTER REGISTRATION SYSTEM. The ~~list is open~~ INFORMATION IS SUBJECT to public inspection under applicable laws and rules.".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1322** 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 **HB17-1329** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 3, strike "**add** (4) and (5)" and substitute "**add** (4), (5), and (6)".

Page 15, after line 19 insert:

"(6) ON AN ANNUAL BASIS, THE DEPARTMENT OF HUMAN SERVICES SHALL CALCULATE THE RECIDIVISM RATE AND EDUCATIONAL OUTCOMES FOR JUVENILES COMMITTED TO THE CUSTODY OF THE DEPARTMENT OF HUMAN SERVICES WHO COMPLETE THE PROGRAM OFFERED BY EACH FACILITY. IN CALCULATING THE RECIDIVISM RATE, THE DEPARTMENT SHALL INCLUDE ANY JUVENILE WHO COMMITS A CRIMINAL OFFENSE, EITHER AS A JUVENILE OR AS AN ADULT, WITHIN THREE YEARS AFTER LEAVING THE FACILITY. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE DEPARTMENT SHALL REPORT THE RECIDIVISM RATE AND EDUCATIONAL OUTCOMES TO THE GENERAL ASSEMBLY ANNUALLY.".

Page 25, strike lines 3 through 17.

Renumber succeeding sections accordingly.

Page 25, line 26, strike "SECTION 19-2-411.5 (5)." and substitute "SECTION 19-2-203 (6).".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1276** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 4, after "officer" insert "or a certified peace officer".

Page 3, line 25, after "OFFICER" insert "OR A CERTIFIED PEACE OFFICER".

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
GROUND WATER COMMISSION

for a term expiring May 1, 2020:

Steven Dale Kramer of Bethune, Colorado, a resident agriculturist from the Northern High Plains Basin, reappointed;

for terms expiring May 1, 2021:

Marc Christopher Arnusch of Keenesburg, Colorado, to serve as a resident agriculturist from the Lost Creek Basin, reappointed;

Gregory Larson of Haxtun, Colorado, a resident agriculturist from the Northern High Plains Basin, reappointed;

Scott W. Tietmeyer of Grover, Colorado, a resident agriculturist from the Upper Big Sandy Basin, reappointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1339** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1254** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1022** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1307** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1318** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1309** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1268** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1237** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1286** be postponed indefinitely.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
STATE HOUSING BOARD

for terms expiring January 31, 2021:

Erik Estrada of Louisville, Colorado, a Democrat and resident of the Second Congressional District, appointed;

Jacalyn Reynolds of Sterling, Colorado, a Democrat and resident of the Fourth Congressional District, reappointed;

Chad E. Wright of Colorado Springs, Colorado, a Democrat and resident of the Fifth Congressional District, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

MEMBERS OF THE
ADVISORY COMMITTEE ON
GOVERNMENTAL ACCOUNTING

effective May 18, 2017 for terms expiring May 18, 2021:

Gina Marie Lanier of Aurora, Colorado, a finance officer representing school and junior college districts, appointed;

Alta Joanne Gosselink of Brush, Colorado, a finance officer representing city and town government, reappointed;

Neil Andrew Copland of Parker, Colorado, a finance officer representing county government, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

MESSAGE FROM THE HOUSE

May 4, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1351, amended as printed in House Journal, May 3, 2017.

The House has adopted and transmits herewith HJR17-1026, as printed in House Journal, May 4, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

May 4, 2017

We herewith transmit:

Without comment, as amended, HB17-1351.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR17-1026 by Representative(s) Wist and Lee; also Senator(s) Fields--Concerning designating April 2017 as "Second Chance Month".

On motion of Senator Fields, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	E	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1192** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1312** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1323** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1308** 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 **HB17-1338** 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 **HB17-1350** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1121** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1303** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 11, line 16, strike "JUDGES;" and substitute "JUDGES. A DISTRICT COMMISSION MAY ASK THE STATE COURT ADMINISTRATOR TO PROVIDE SUPPLEMENTAL INFORMATION AND ASSISTANCE IN ASSESSING A JUDGE'S OVERALL CASE MANAGEMENT;".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1095** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1119** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend reengrossed bill, page 14, after line 21 insert:

"**SECTION 2.** In Colorado Revised Statutes, 8-40-301, **amend** (1); and **add** (10) as follows:

8-40-301. Scope of term "employee" - definition. (1) (a) "Employee" excludes any person employed by a passenger tramway area operator, as defined in section 25-5-702 (1), ~~C.R.S.,~~ or other employer, while participating in recreational activity, who at such time is relieved of and is not performing any duties of employment, regardless of whether such person is utilizing, by discount or otherwise, a pass, ticket, license, permit, or other device as an emolument of employment.

(b) (I) "EMPLOYEE" EXCLUDES ANY PERSON EMPLOYED BY AN OUT-OF-STATE EMPLOYER PERFORMING INCIDENTAL WORK IN COLORADO WHERE THE EMPLOYEE IS COVERED AT THE TIME OF INJURY UNDER THE WORKERS' COMPENSATION ACT OF ANOTHER STATE REGARDLESS OF WHERE THE CONTRACT FOR EMPLOYMENT WAS CREATED.

(II) FOR PURPOSES OF THIS SECTION, "INCIDENTAL WORK" MEANS WORK THAT IS TEMPORARY OR TRANSITORY AND IS PERFORMED EXCLUSIVELY FOR AN EMPLOYER WITH NO PERMANENT, REGULAR, OR RECURRING OPERATIONS IN THE STATE OF COLORADO.

(III) THIS SECTION ONLY APPLIES TO A WORKERS' COMPENSATION ACT OF ANOTHER STATE THAT INCLUDES A RECIPROCAL PROVISION EXEMPTING COLORADO EMPLOYERS FROM LIABILITY UNDER THE OTHER STATE'S ACT FOR INCIDENTAL WORK.".

Renumber succeeding sections accordingly.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD

for a term expiring at the pleasure of the Governor:

Shepard J. Nevel of Denver, Colorado, to serve as the Chairman of the Hospital Provider Fee Oversight and Advisory Board, appointed;

for terms expiring May 15, 2021:

Shepard J. Nevel of Denver, Colorado, a representative of a business that purchases or otherwise provides health insurance for its employees, and who previously served as a representative of consumers, reappointed;

Lesley Clark Brooks, MD of Greeley, Colorado, to serve as a member of the health care industry who does not represent a hospital or health insurance carrier, appointed;

Matthew Steven Colussi of Aurora, Colorado, to serve as an employee of the state department, appointed;

Ryan Westrom of Aurora, Colorado, a member of a statewide organization of hospitals, appointed;

Allison Anna Neswood of Denver, Colorado, to serve as a representative of consumers, appointed;

Christopher Daniel Rieber, MBA, CPA of Castle Rock, Colorado, an employee of a safety-net hospital in Colorado, reappointed.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
STATE BOARD OF HUMAN SERVICES

for a term expiring March 1, 2019:

Honorable Thomas Crawford Davidson of Dillon, Colorado to serve as a county commissioner as well as a family member of a person with a disability, appointed;

for terms expiring March 1, 2021:

Jeffrey Gordon Kuhr of Grand Junction, Colorado, a member of the public, reappointed;

Bernard A. Buescher of Grand Junction, Colorado, to serve as a member of the public, appointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1259** be postponed indefinitely.

Finance After consideration on the merits, the Committee recommends that **HB17-1362** be postponed indefinitely.

Finance After consideration on the merits, the Committee recommends that **SB17-301** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 24, line 27, strike "SIX HUNDRED" and substitute "ONE HUNDRED".

Page 26, line 19, strike "FIVE HUNDRED THOUSAND".

Finance After consideration on the merits, the Committee recommends that **HB17-1342** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB17-1311** be postponed indefinitely.

Finance After consideration on the merits, the Committee recommends that **HB17-1357** 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 **HB17-1043** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 6, strike "2018," and substitute "2020,".

Page 2, strike line 11 and substitute "2021.".

Page 2, line 17, strike "2018," and substitute "2020,".

Page 2, line 19, strike "2019." and substitute "2021.".

Finance After consideration on the merits, the Committee recommends that **HB17-1227** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, after line 1 insert:

"**SECTION 1.** In Colorado Revised Statutes, 40-3.2-103, **amend** (2)(c)(I) and (5); and **repeal** (2)(d) as follows:

40-3.2-103. Gas distribution utility demand-side management programs - rules - recovery of costs. (2) As part of the rule-making proceeding required by subsection (1) of this section, the commission shall:

(c) (I) Adopt procedures for allowing gas utilities to recover their prudently incurred costs of DSM programs without having to file a rate case. ~~Such~~ THE costs ~~shall~~ MAY include ~~but are not limited to,~~ facility investments; rebates; interest rate buy-downs; incremental labor costs, employee benefits, carrying costs, and employee-related administrative costs; and other administrative costs. All such costs shall be recovered through a cost adjustment mechanism that is set on an annual basis, or more frequently if deemed appropriate.

(d) ~~Adopt a bonus structure to reward gas utilities for investments in cost-effective DSM programs. For each year of operation, the bonus shall be capped at twenty-five percent of the expenditures or twenty percent of the net economic benefits of the DSM programs, whichever amount is lower. The amount of the bonus awarded each year shall be determined based on the extent to which the gas utility has achieved the targets established by the commission in accordance with paragraphs (a) and (b) of this subsection (2). The bonus shall not count against a gas utility's authorized rate of return or be considered in rate proceedings.~~

(5) The commission shall authorize each gas utility to recover ~~moneys~~ MONEY spent for education programs, impact and process evaluations, and program planning related to natural gas DSM programs

offered by the gas utility ~~without having~~ AND REQUIRE THE GAS UTILITY to show that such expenditures, on an independent basis, are cost-effective. The commission may limit the amount spent for these activities.".

Renumber succeeding sections accordingly.

Page 2, strike line 3 and substitute "(2), (4), and (5) as follows:".

Page 2, line 20, after "(c)" insert "(I)".

Page 3, after line 6, insert:

"(II) IN IMPLEMENTING THE ENERGY SAVINGS AND PEAK DEMAND GOALS SET FORTH IN SUBSECTION (2)(c)(I) OF THIS SECTION, A UTILITY SHALL NOT RECOVER COSTS FOR ITS IMPLEMENTATION OF DEMAND-SIDE MANAGEMENT PROGRAMS FROM RESIDENTIAL RATEPAYERS.

(4) The commission shall ensure that utilities develop and implement DSM programs that give all classes of customers an opportunity to participate ~~and shall give due consideration to the impact of~~ BUT DO NOT INCLUDE A RECOVERY OF ~~DSM programs on~~ PROGRAM COSTS FROM nonparticipants and ~~on~~ low-income customers.

(5) The commission shall allow an opportunity for a utility's investments in cost-effective DSM programs to be more profitable to the utility than any other utility investment that is not already subject to special incentives. In complying with this subsection (5), the commission ~~shall~~ MAY consider ~~without limitation, the following incentive mechanisms~~ AN INCENTIVE TO ALLOW THE UTILITY TO COLLECT THE COSTS OF DSM PROGRAMS THROUGH A COST ADJUSTMENT CLAUSE, which ~~shall~~ INCENTIVE MUST take into consideration the performance AND RATEPAYER COST of the DSM program.

~~(a) An incentive to allow a rate of return on DSM investments that is higher than the utility's rate of return on other investments;~~

~~(b) An incentive to allow the utility to accelerate the depreciation or amortization period for DSM investments;~~

~~(c) An incentive to allow the utility to retain a portion of the net economic benefits associated with a DSM program for its shareholders;~~

~~(d) An incentive to allow the utility to collect the costs of DSM programs through a cost adjustment clause;~~

~~(e) Other incentive mechanisms that the commission deems appropriate.~~".

Finance After consideration on the merits, the Committee recommends that **HB17-1354** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

MESSAGE FROM THE HOUSE

May 4, 2017

Mr. President:

The House has adopted and returns herewith SJR17-035, 027, 030, 040, 037, 041.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR17-043 by Senator(s) Coram; also Representative(s) McLachlan--Concerning urging the Attorney General of Colorado to file a lawsuit against the federal Environmental Protection Agency for damages caused by the spill at the Gold King mine.

Laid over one day under Senate Rule 30(b).

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB17-1351 by Representative(s) Pettersen and Rankin; also Senator(s) Crowder and Jahn--Concerning utilizing information to improve treatment for substance use disorders under the medicaid program, and, in connection therewith, making an appropriation.
Finance

COMMITTEE APPOINTMENTS

May 3, 2017

Mr. Mike Mauer
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Mr. Mike Mauer:

Please be advised that I am appointing Senator Irene Aguilar to replace Senator Lois Court to serve on the State, Veterans, and Military Affairs Committee effective May 5, 2017, and for the remainder of the session.

Sincerely,
(signed)
Lucia Guzman
Senate Minority Leader

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, May 5, 2017.

Approved:

Kevin J. Grantham
President of the Senate

MAY THE FOURTH BE WITH YOU

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

115th Legislative Day — Friday, May 5, 2017

Prayer — By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order — By the President at 9:00 a.m.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 1 (b) was suspended to allow a person other than a Senator to lead the Pledge of Allegiance.

Pledge — By Xan Lucas Garcia.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Thursday, May 4, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance — After consideration on the merits, the Committee recommends that **HB17-1321** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB17-1079** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB17-1162** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB17-1208** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB17-1345** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB17-1191** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB17-1346** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB17-1349** 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 **HB17-1356** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB17-1264** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 9, line 12, strike "$445,264" and substitute "$75,000".

Finance — After consideration on the merits, the Committee recommends that **HB17-1313** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 10, strike lines 13 through 15 and substitute:

"(9) (a) THE OFFICE OF BEHAVIORAL HEALTH SHALL".

Page 10, strike lines 19 through 23 and substitute "ENDING BALANCES, AND SERVICES PROVIDED. THE OFFICE OF BEHAVIORAL HEALTH SHALL PROVIDE THIS REPORT TO THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE AND THE PUBLIC HEALTH CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES.".

Finance — After consideration on the merits, the Committee recommends that **HB17-1284** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend Judiciary Committee Report, dated May 1, 2017, page 2, after line 4 insert:

"Page 10, line 25, strike "EMPLOYER" and substitute "EMPLOYER, OR A PERSON OR ENTITY CONDUCTING EMPLOYEE SCREENING ON BEHALF OF THE EMPLOYER,".".

Page 2 of the report, after line 10 insert:

"Page 11, line 6, strike "EMPLOYER:" and substitute "EMPLOYER, OR A PERSON OR ENTITY CONDUCTING EMPLOYEE SCREENING ON BEHALF OF THE EMPLOYER:".".

Page 2 of the report, after line 16 insert:

"Page 11, line 15, strike "EMPLOYER" and substitute "EMPLOYER, OR A PERSON OR ENTITY CONDUCTING EMPLOYEE SCREENING ON BEHALF OF THE EMPLOYER,".".

Appropriations — After consideration on the merits, the Committee recommends that **SB17-183** 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 3, line 9 strike "$200,000" and substitute "$100,000".

Appropriations — After consideration on the merits, the Committee recommends that **SB17-275** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 10, before line 4 insert:

"**SECTION 4. Appropriation.** (1) For the 2017-18 state fiscal year, $62,210 is appropriated to the department of revenue. This

appropriation is from the marijuana cash fund created in section 12-43.3-501(1)(a), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $43,200 for marijuana enforcement; and

(b) $19,010 for the purchase of legal services.

(2) For the 2017-18 state fiscal year, $19,010 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of revenue under subsection (1)(b) of this section and is based on an assumption that the department of law will require an additional 0.1 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of revenue.".

Renumber succeeding sections accordingly.

Page 1, line 105, strike "**PESTICIDES.**" and substitute "**PESTICIDES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-301** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated May 3, 2017, page 4, line 1, strike "act."." and substitute "act.".

Page 4 of the committee report, after line 1 insert:

"**SECTION 26. Appropriation - adjustments to 2017 long bill.** To implement this act, the general fund appropriation made in the annual general appropriation act for the 2017-18 state fiscal year to the office of the governor for use by the Colorado energy office for program administration is decreased by $70,000.".".

Page 1 of the printed bill, line 101, strike "**STATUTES.**" and substitute "**STATUTES, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-303** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 24, after line 27 insert:

"**SECTION 13. Appropriation.** For the 2017-18 state fiscal year, $5,000 is appropriated to the department of revenue. This appropriation is from the general fund. To implement this act, the divison may use this appropriation for tax administration IT system (GenTax) support.".

Renumber succeeding sections accordingly.

Amend the Senate Finance Committee Report, dated May 2, 2017, page 16, strike line 14 and substitute "**IMPROVEMENTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-305** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 9, after line 21 insert:

"**SECTION 8. Appropriation.** (1) For the 2017-18 state fiscal year, $208,811 is appropriated to the department of state. This appropriation is from the department of state cash fund created in section 24-21-104 (3)(b), C.R.S. To implement this act, the department may use

this appropriation as follows:

(a) $180,456 for personal services for information technology services; and

(b) $28,355 for operating expenses for the elections division.".

Renumber succeeding section accordingly.

Page 1, line 104, strike "**LAWS.**" and substitute "**LAWS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations After consideration on the merits, the Committee recommends that **SB17-306** 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 **HB17-1343** 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 **HB17-1361** 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 **HB17-1043** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB17-1353** 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 5, after line 9 insert:

"(f) A DESCRIPTION OF THE STATE DEPARTMENT'S COORDINATION WITH ENTITIES THAT AUTHORIZE LONG-TERM CARE SERVICES FOR MEDICAID CLIENTS;".

Reletter succeeding paragraphs accordingly.

Page 6, after line 16 insert:

"(6) THE STATE DEPARTMENT SHALL CONSIDER NEW TECHNOLOGIES AND BUSINESS PRACTICES FOR MEDICAL MANAGEMENT REFORM THAT WOULD REDUCE MEDICAL COSTS DUE TO MISUSE, OVERUSE, WASTE, FRAUD, AND ABUSE. BETTER DRUG MANAGEMENT, ESPECIALLY OF AVOIDABLE PRESCRIPTIONS AND INEFFICIENT USE OF SPECIALTY DRUGS, WOULD ALLOW THE ENTIRE PRESCRIPTION DRUG COST CONTINUUM TO BE MANAGED MORE EFFECTIVELY TO CONTAIN COSTS AND ACHIEVE BETTER PATIENT OUTCOMES. NEW TECHNOLOGIES AND BUSINESS PRACTICES FOR MEDICAL MANAGEMENT REFORM MAY ALSO BENEFIT COLORADO BY PROVIDING A MORE POWERFUL MEDICAID ENROLLMENT PLATFORM THAT PROPERLY ENROLLS ONLY THOSE INDIVIDUALS WHO ARE TRULY ELIGIBLE FOR MEDICAID BENEFITS.".

page 6, line 21, strike "IS AUTHORIZED TO IMPLEMENT" and substitute "MAY DEVELOP".

Appropriations After consideration on the merits, the Committee recommends that **SB17-012** 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 6, strike lines 10 and 11 and substitute:

"(3) ON OR BEFORE DECEMBER 1, 2017, THE OFFICE SHALL DEVELOP STANDARDIZED JUVENILE AND ADULT CURRICULA FOR THE

EDUCATIONAL COMPONENT OF COMPETENCY RESTORATION SERVICES. THE CURRICULA MUST HAVE A CONTENT AND DELIVERY MECHANISM THAT ALLOWS IT TO BE TAILORED TO MEET INDIVIDUAL NEEDS, INCLUDING THOSE OF PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

(4) BEGINNING JULY 1, 2018, THE OFFICE SHALL HAVE THE FOLLOWING DUTIES AND RESPONSIBILITIES AND SHALL INCLUDE A REQUEST FOR THE FINANCING OF SUCH DUTIES AND RESPONSIBILITIES IN THE DEPARTMENT OF HUMAN SERVICES'S NOVEMBER 2017 BUDGET REQUEST TO THE JOINT BUDGET COMMITTEE:".

Renumber succeeding subsection accordingly.

Page 7, strike lines 12 through 15.

Reletter succeeding paragraphs accordingly.

Page 8, after line 13 insert:

"**SECTION 4. Appropriation.** (1) For the 2017-18 state fiscal year, $18,000 is appropriated to the department of human services. This appropriation is from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S. To implement this act, the department may use this appropriation for operating expenses related to community behavioral health administration.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**PROCEED**." and substitute "**PROCEED, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION**.".

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1116** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1216** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1248** 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 9, line 20, after "fund" insert "grant-making,".

Page 9, line 23, strike "for grant-making".

Page 10, lines 6 and 7, strike "and project grants for agriculture;" and substitute "for agricultural projects;".

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1204** 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 **HB17-1276** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB17-306; SJR17-043.
Correctly Engrossed: SB17-302.
Correctly Revised: HB17-1293 and 1317; HJR17-1025 and 1026.
Correctly Rerevised: HB17-1113, 1139, 1252, 1279, 1274, 1302, and 1330.
Correctly Enrolled: SB17-126 and 216.

MESSAGE FROM THE HOUSE

May 4, 2017

Mr. President:

The House has postponed indefinitely SBs17-009, 281, 276, 014. The bills are returned herewith.

The House has postponed indefinitely SJM17-006. The memorial is returned herewith.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1293 by Representative(s) Melton; also Senator(s) Todd--Concerning the ability of a local government official to serve on a nonprofit entity's board of directors.

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	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Martinez Humenik, Merrifield, Moreno, and Williams A.

SB17-302 by Senator(s) Coram; also Representative(s) Catlin and McLachlan--Concerning a clarification of the exemption from property tax of silvicultural equipment.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Martinez Humenik, and Tate.

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:

HB17-1317 by Representative(s) Esgar and Hansen; also Senator(s) Baumgardner and Kefalas--Concerning the authority of the state historical society to dispose of real property located on the former Lowry Air Force base.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Scott, Sonnenberg, Tate, Todd, and Williams A.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB17-304 by Senator(s) Martinez Humenik and Williams A., Tate; also Representative(s) Singer and Thurlow, Pabon--Concerning the authority of the joint technology committee.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 3, page 1051 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB17-1332 by Representative(s) Bridges and Wilson; also Senator(s) Fenberg and Smallwood--Concerning state board of education authorization for an alternative teacher license for a person who participates in an alternative teacher program provided by a designated agency working with a nonpublic early child care facility.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1051-1052 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1289 by Representative(s) Valdez and Hansen; also Senator(s) Coram and Crowder--Concerning a requirement that the state engineer promulgate rules that establish an optional streamlined approach to calculate the historical consumptive use of a water right.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. (Printed in Senate Journal, May 3, page(s) 1052-1053 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 -- CONSENT CALENDAR

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-304 as amended, HB17-1332 as amended, HB17-1289 as amended.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1359 by Representative(s) Young; also Senator(s) Gardner--Concerning positions in the department of education that are exempt from the state personnel system.

Amendment No. 1, Education Committee Amendment. (Printed in Senate Journal, May 3, page 1052 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB17-300 by Senator(s) Lambert; also Representative(s) Kennedy--Concerning the authority of the commissioner of insurance to implement programs to address the rising costs of providing health care coverage to high-risk individuals in the state.

Amendment No. 1, Health & Human Services Committee Amendment. (Printed in Senate Journal, May 3, page(s) 1054-1056 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-296 by Senator(s) Hill; also Representative(s) Pettersen--Concerning financing public schools.

Amendment No. 1, Education Committee Amendment. (Printed in Senate journal, April 28, page(s) 963-968, was **lost**.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate journal, May 3, page 1050, was **lost**.)

Amendment No. 3(L.033), by Senator Gardner.

Amend printed bill, page 3, after line 22 insert:

"**SECTION 2.** In Colorado Revised Statutes, 22-54-117, **add** (1)(a)(IX) as follows:

22-54-117. Contingency reserve - capital construction expenditures reserve - fund - lottery proceeds contingency reserve. (1) (a) For the 2007-08 fiscal year and fiscal years thereafter, the general assembly shall annually determine the amount to appropriate to the contingency reserve fund, which is hereby created in the state treasury. In deciding the amount to appropriate to the contingency reserve fund, the general assembly may take into consideration any recommendations made by the department of education, but nothing in this section obligates the general assembly to provide supplemental assistance to all districts that are found to be in need or to fully fund the total amount of such need. The state board may approve and order payments from the contingency reserve fund for supplemental assistance to districts determined to be in need as the result of any or all of the following circumstances:

(IX) COMMENCING WITH THE 2017-18 BUDGET YEAR, AN UNUSUAL FINANCIAL BURDEN THAT RESULTS FROM IMPLEMENTING A NEW SCHOOL OR PROGRAM OR EXPANDING A PROGRAM IN THE DISTRICT THAT RESULTS IN A TWENTY PERCENT OR GREATER INCREASE IN THE NUMBER OF PUPILS WHO ENROLL IN THE DISTRICT FOR THE APPLICABLE BUDGET YEAR OVER THE ESTIMATED PUPIL ENROLLMENT USED TO CALCULATE THE DISTRICT'S TOTAL PROGRAM FUNDING FOR THE APPLICABLE BUDGET YEAR. THE DISTRICT SHALL REIMBURSE THE CONTINGENCY RESERVE FUND FOR SUPPLEMENTAL ASSISTANCE AWARDED PURSUANT TO THIS SUBSECTION (1)(a)(IX) FOLLOWING THE ADJUSTMENT OF PAYMENTS AS PROVIDED IN SECTION 22-54-115 (1)(a).".

Renumber succeeding section accordingly.

Amendment No. 4(L.015), by Senator Priola.

Amend printed bill, page 3, after line 22 insert:

"**SECTION 2.** In Colorado Revised Statutes, 22-45-103, **amend** (1) introductory portion and (1)(k) as follows:

22-45-103. Funds. (1) The following funds are created for each school district for purposes specified in this ~~article~~ ARTICLE 45:

(k) **Total program reserve fund.** A school district shall deposit the property tax revenues that it collects from a tax levy imposed pursuant to section 22-54-107 (5) in the total program reserve fund of the district. The district may expend money from the total program reserve fund only to offset the amount of a reduction in the district's state share caused by application of the ~~negative factor~~ BUDGET ADJUSTMENT pursuant to section 22-54-104 (5)(g); except that, in a budget year in which the school district levies for its total program the number of mills calculated pursuant to section 22-54-106 (2)(a)(II), if the balance of the total program reserve fund exceeds an amount equal to the district's total program for that budget year multiplied by the ~~negative factor~~ BUDGET ADJUSTMENT calculated pursuant to section 22-54-104 (5)(g) for that budget year, the district may expend the amount of the excess balance. Any money remaining in the fund at the end of a fiscal year must remain in the fund and may be used in future years only as provided in this ~~paragraph (k)~~ SUBSECTION (1)(k).

SECTION 3. In Colorado Revised Statutes, 22-54-104, **amend** (4.5)(c)(III) introductory portion, (4.7)(c) introductory portion, (5)(g)(I) introductory portion, (5)(g)(I)(B), (5)(g)(I)(C), (5)(g)(I)(D), (5)(g)(I)(E), (5)(g)(I)(F), (5)(g)(I)(G), (5)(g)(II)(A), (5)(g)(II)(B), (5)(g)(VII) introductory portion, (5)(g)(VII)(A), and (5)(g)(VII)(B) as follows:

22-54-104. District total program - definitions. (4.5) A district's online funding shall be determined in accordance with the

following formulas:

(c) (III) In any budget year in which the provisions of ~~paragraph (g) of subsection (5)~~ SUBSECTION (5)(g) of this section apply, the department of education shall calculate a district's reduction amount for online funding by multiplying the ~~negative factor~~ BUDGET ADJUSTMENT calculated for the applicable budget year pursuant to ~~sub-subparagraph (A) of subparagraph (II) of paragraph (g) of subsection (5)~~ SUBSECTION (5)(g)(II)(A) of this section by the district's online funding calculated pursuant to ~~subparagraph (II) of this paragraph (c)~~ SUBSECTION (4.5)(c)(II) OF THIS SECTION for the applicable budget year. A district's online funding for the applicable budget year shall be the greater of:

(4.7) (c) In any budget year in which the provisions of ~~paragraph (g) of subsection (5)~~ SUBSECTION (5)(g) of this section apply, the department of education shall calculate a district's reduction amount for extended high school funding by multiplying the ~~negative factor~~ BUDGET ADJUSTMENT calculated for the applicable budget year pursuant to ~~sub-subparagraph (A) of subparagraph (II) of paragraph (g) of subsection (5)~~ SUBSECTION (5)(g)(II)(A) of this section by the amount of the district's extended high school funding calculated pursuant to ~~paragraph (b) of this subsection (4.7)~~ SUBSECTION (4.7)(b) OF THIS SECTION for the applicable budget year. A district's extended high school funding for the applicable budget year shall be the greater of:

(5) For purposes of the formulas used in this section:

(g) (I) For the 2010-11 budget year and each budget year thereafter, the general assembly determines that stabilization of the state budget requires ~~a reduction in the amount of~~ AN ADJUSTMENT TO the annual appropriation to fund the state's share of total program funding for all districts and the funding for institute charter schools. The department of education shall implement the reduction in total program funding through the application of a ~~negative factor~~ BUDGET ADJUSTMENT as provided in this ~~paragraph (g)~~ SUBSECTION (5)(g). For the 2010-11 budget year and each budget year thereafter, the department of education and the staff of the legislative council shall determine, based on budget projections, the amount of such reduction to ensure the following:

(B) That, for the 2011-12 budget year, the sum of the total program funding for all districts, including the funding for institute charter schools, after application of the ~~negative factor~~ BUDGET ADJUSTMENT, is not less than five billion two hundred twenty-nine million five hundred sixty thousand three hundred forty-six dollars ($5,229,560,346); except that the department of education and the staff of the legislative council shall make mid-year revisions to replace projections with actual figures including, but not limited to, actual pupil enrollment, assessed valuations, and specific ownership tax revenue from the prior year, to determine any necessary changes in the amount of the reduction to maintain a total program funding amount for the 2011-12 budget year that is consistent with this ~~sub-subparagraph (B)~~ SUBSECTION (5)(g)(I)(B).

(C) That, for the 2012-13 budget year, the sum of the total program funding for all districts, including the funding for institute charter schools, after application of the ~~negative factor~~ BUDGET ADJUSTMENT, is not less than five billion two hundred ninety-four million thirty-three thousand four hundred forty-nine dollars ($5,294,033,449); except that the department of education and the staff of the legislative council shall make mid-year revisions to replace projections with actual figures including, but not limited to, actual pupil enrollment, assessed valuations, and specific ownership tax revenue from the prior year, to determine any necessary changes in the amount of the reduction to maintain a total program funding amount for the 2012-13 budget year that is consistent with this ~~sub-subparagraph (C)~~ SUBSECTION (5)(g)(I)(C).

(D) That, for the 2013-14 budget year, the sum of the total program funding for all districts, including the funding for institute charter schools, after application of the ~~negative factor~~ BUDGET ADJUSTMENT, is not less than five billion five hundred twenty-four million forty-six thousand seven hundred sixty-seven dollars ($5,524,046,767); except that the department of education and the staff of the legislative council shall make mid-year revisions to replace projections with actual figures including, but not limited to, actual pupil enrollment, assessed valuations, and specific ownership tax revenue from

the prior year, to determine any necessary changes in the amount of the reduction to maintain a total program funding amount for the applicable budget year that is consistent with this ~~sub-subparagraph (D)~~ SUBSECTION (5)(g)(I)(D).

(E) That, for the 2014-15 budget year, the sum of the total program funding for all districts, including the funding for institute charter schools, after application of the ~~negative factor~~ BUDGET ADJUSTMENT, is not less than five billion nine hundred thirty million ninety-one thousand six hundred sixty dollars ($5,930,091,660); except that the department of education and the staff of the legislative council shall make mid-year revisions to replace projections with actual figures including, but not limited to, actual pupil enrollment, assessed valuations, and specific ownership tax revenue from the prior year, to determine any necessary changes in the amount of the reduction to maintain a total program funding amount for the applicable budget year that is consistent with this ~~sub-subparagraph (E)~~ SUBSECTION (5)(g)(I)(E). For the 2015-16 budget year, the difference between calculated statewide total program funding and actual statewide total program funding must not exceed the difference between calculated statewide total program funding and actual statewide total program funding for the 2014-15 budget year.

(F) That, for the 2015-16 budget year, the sum of the total program funding for all districts, including the funding for institute charter schools, after application of the ~~negative factor~~ BUDGET ADJUSTMENT, is not less than six billion two hundred thirty-three million eight hundred thirty-five thousand forty-four dollars ($6,233,835,044); except that the department of education and the staff of the legislative council shall make mid-year revisions to replace projections with actual figures, including but not limited to actual pupil enrollment, assessed valuations, and specific ownership tax revenue from the prior year, to determine any necessary changes in the amount of the reduction to maintain a total program funding amount for the applicable budget year that is consistent with this ~~sub-subparagraph (F)~~ SUBSECTION (5)(g)(I)(F). For the 2016-17 budget year, the difference between calculated statewide total program funding and actual statewide total program funding must not exceed the difference between calculated statewide total program funding and actual statewide total program funding for the 2015-16 budget year.

(G) That, for the 2016-17 budget year, the sum of the total program funding for all districts, including the funding for institute charter schools, after application of the ~~negative factor~~ BUDGET ADJUSTMENT, is not less than six billion three hundred ninety-four million five hundred twenty-eight thousand nine hundred thirty-one dollars ($6,394,528,931); except that the department of education and the staff of the legislative council shall make mid-year revisions to replace projections with actual figures, including but not limited to actual pupil enrollment, assessed valuations, and specific ownership tax revenue from the prior year, to determine any necessary changes in the amount of the reduction to maintain a total program funding amount for the applicable budget year that is consistent with this ~~sub-subparagraph (G)~~ SUBSECTION (5)(g)(I)(G). For the 2017-18 budget year, the difference between calculated statewide total program funding and actual statewide total program funding must not exceed the difference between calculated statewide total program funding and actual statewide total program funding for the 2016-17 budget year.

(II) For the 2010-11 budget year and each budget year thereafter, the department of education shall:

(A) Calculate the ~~negative factor~~ BUDGET ADJUSTMENT for the applicable budget year by dividing the reduction in total program funding for the applicable budget year, as specified in ~~subparagraph (I) of this paragraph (g)~~ SUBSECTION (5)(g)(I) OF THIS SECTION, by the sum of the total program funding amounts of all districts as calculated pursuant to subsection (2) of this section, including the funding for institute charter schools, for the applicable budget year; and

(B) Calculate each district's and each institute charter school's reduction amount by multiplying the ~~negative factor~~ BUDGET ADJUSTMENT by the district's total program funding calculated pursuant to subsection (2) of this section for the applicable budget year for the district and for any institute charter school located within the district.

(VII) As used in this ~~paragraph (g)~~ SUBSECTION (5)(g), unless the

context otherwise requires:

(A) "Actual statewide total program funding" means the sum of the total program funding for all districts, including the funding for institute charter schools, as calculated pursuant to subsection (2) of this section, after application of the ~~negative factor~~ BUDGET ADJUSTMENT pursuant to this ~~paragraph (g)~~ SUBSECTION (5)(g).

(B) "Calculated statewide total program funding" means the sum of the total program funding for all districts, including the funding for institute charter schools, as calculated pursuant to subsection (2) of this section, before application of the ~~negative factor~~ BUDGET ADJUSTMENT pursuant to this ~~paragraph (g)~~ SUBSECTION (5)(g).

SECTION 4. In Colorado Revised Statutes, 22-54-117, **amend** (1)(a)(VIII) as follows:

22-54-117. Contingency reserve - capital construction expenditures reserve - fund - lottery proceeds contingency reserve. (1) (a) For the 2007-08 fiscal year and fiscal years thereafter, the general assembly shall annually determine the amount to appropriate to the contingency reserve fund, which is hereby created in the state treasury. In deciding the amount to appropriate to the contingency reserve fund, the general assembly may take into consideration any recommendations made by the department of education, but nothing in this section obligates the general assembly to provide supplemental assistance to all districts that are found to be in need or to fully fund the total amount of such need. The state board may approve and order payments from the contingency reserve fund for supplemental assistance to districts determined to be in need as the result of any or all of the following circumstances:

(VIII) Commencing with the 2016-17 budget year, unusual financial burden caused by a significant reduction in the assessed value of real property in a district whose state share of total program funding pursuant to section 22-54-106 before the application of the ~~negative factor~~ BUDGET ADJUSTMENT pursuant to section 22-54-104 (5)(g) was less than one-half of one percent of the district's total program funding in the previous budget year, causing the district to receive a state share that is one-half of one percent of total program funding or greater before application of the ~~negative factor~~ BUDGET ADJUSTMENT in the budget year in which the assessed value is reduced. The amount of supplemental assistance paid pursuant to this ~~subparagraph (VIII)~~ SUBSECTION (1)(a)(VIII) shall not exceed twenty-five percent of the amount of the reduction in the district's state share as a result of the ~~negative factor~~ BUDGET ADJUSTMENT. A school district may receive supplemental assistance pursuant to this ~~subparagraph (VIII)~~ SUBSECTION (1)(a)(VIII) only one time.".

Renumber succeeding section accordingly.

Amendment No. 5(L.031), by Senator Hill.

Amend printed bill, page 2, line 3, strike "portion and (5)(g)(I)(G);" and substitute "portion;".

Page 2, strike lines 21 through 27.

Page 3, strike lines 1 through 9.

Page 3, lines 13 and 14, strike "FIVE HUNDRED EIGHTY-FIVE MILLION EIGHT" and substitute "SIX HUNDRED THIRTY-FOUR MILLION SIX".

Page 3, line 15, strike "($6,585,800,182);" and substitute "($6,634,600,182);".

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.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB17-296 by Senator(s) Hill; also Representative(s) Pettersen--Concerning financing public schools.

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Gardner floor amendment, (L.033) to SB17-296, did not pass.

Amend printed bill, page 3, after line 22 insert:

"**SECTION 2.** In Colorado Revised Statutes, 22-54-117, **add** (1)(a)(IX) as follows:

22-54-117. Contingency reserve - capital construction expenditures reserve - fund - lottery proceeds contingency reserve. (1) (a) For the 2007-08 fiscal year and fiscal years thereafter, the general assembly shall annually determine the amount to appropriate to the contingency reserve fund, which is hereby created in the state treasury. In deciding the amount to appropriate to the contingency reserve fund, the general assembly may take into consideration any recommendations made by the department of education, but nothing in this section obligates the general assembly to provide supplemental assistance to all districts that are found to be in need or to fully fund the total amount of such need. The state board may approve and order payments from the contingency reserve fund for supplemental assistance to districts determined to be in need as the result of any or all of the following circumstances:

(IX) COMMENCING WITH THE 2017-18 BUDGET YEAR, AN UNUSUAL FINANCIAL BURDEN THAT RESULTS FROM IMPLEMENTING A NEW SCHOOL OR PROGRAM OR EXPANDING A PROGRAM IN THE DISTRICT THAT RESULTS IN A TWENTY PERCENT OR GREATER INCREASE IN THE NUMBER OF PUPILS WHO ENROLL IN THE DISTRICT FOR THE APPLICABLE BUDGET YEAR OVER THE ESTIMATED PUPIL ENROLLMENT USED TO CALCULATE THE DISTRICT'S TOTAL PROGRAM FUNDING FOR THE APPLICABLE BUDGET YEAR. THE DISTRICT SHALL REIMBURSE THE CONTINGENCY RESERVE FUND FOR SUPPLEMENTAL ASSISTANCE AWARDED PURSUANT TO THIS SUBSECTION (1)(a)(IX) FOLLOWING THE ADJUSTMENT OF PAYMENTS AS PROVIDED IN SECTION 22-54-115 (1)(a).".

Renumber succeeding section accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-300 as amended, SB17-296 as amended, HB17-1359 as amended.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appro-priations

After consideration on the merits, the Committee recommends that **SB17-019** 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 2, strike "**reporting.**" and substitute "**reporting - rules.**".

Page 5, strike line 3 and substitute "SEPTEMBER 1, 2017, THE DEPARTMENT OF HUMAN SERVICES IN CONSULTATION WITH THE".

Page 5, line 7, strike "THE" and substitute "USING CONSULTING SERVICES AS NECESSARY, THE".

Page 5, line 11, after the period add "THE PROCESSES FOR EDUCATION AND MARKETING REQUIRED PURSUANT TO THIS SUBSECTION (1) SHALL BE COMPLETED ON OR BEFORE SEPTEMBER 1, 2017.

(b) FOR THE SOLE PURPOSE OF ENSURING MEDICATION CONSISTENCY FOR PERSONS WITH MENTAL HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, THE DEPARTMENT OF CORRECTIONS, COUNTIES, THE DIVISION OF YOUTH CORRECTIONS, COMMUNITY MENTAL HEALTH CENTERS, AND OTHER PROVIDERS SHALL SHARE PATIENT-SPECIFIC MENTAL HEALTH AND TREATMENT INFORMATION. ALL SUCH INFORMATION SHARING MUST COMPLY WITH CONFIDENTIALITY REQUIREMENTS, INCLUDING ANY NECESSARY MEMORANDUMS OF UNDERSTANDING BETWEEN PROVIDERS, SET FORTH IN THE FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", 45 CFR PARTS 2, 160, 162, AND 164.

(2) BEGINNING JULY 1, 2018, THE OFFICE SHALL HAVE THE FOLLOWING DUTIES AND RESPONSIBILITIES AND SHALL INCLUDE A REQUEST FOR THE FINANCING OF SUCH DUTIES AND RESPONSIBILITIES IN THE DEPARTMENT OF HUMAN SERVICES'S NOVEMBER 2017 BUDGET REQUEST TO THE JOINT BUDGET COMMITTEE:".

Page 5, line 12, strike "(b)" and substitute "(a)" and strike the first and second "JULY" and substitute "SEPTEMBER".

Page 5, line 18, strike "(c)" and substitute "(b)".

Page 8, before line 2 insert:

"**SECTION 2. Appropriation.** (1) For the 2017-18 state fiscal year, $26,000 is appropriated to the department of human services. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $24,000 for use by the office of behavioral health for personal services; and

(b) $2,000 for use by the office of behavioral health for operating expenses.".

Renumber succeeding section accordingly.

Page 1, strike line 103 and substitute "**SYSTEMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION**.".

Amend the Judiciary Committee Report, dated February 13, 2017, page 2, strike lines 13 and 14.

Page 5 of the bill, strike lines 23 through 27.

Page 6, strike lines 1 through 6.

Page 6, line 7, strike "(b)" and substitute "(c)" and strike "JULY 1, 2017," and substitute "SEPTEMBER 1, 2018,".

Page 6, line 12, strike "(2)(a)" and substitute "(1)(b)".

Page 6, line 18, strike "(3) (a)" and substitute "(c) (I)".

Page 7, line 2, strike "(b)" and substitute "(II)".

Page 7, line 13, strike "(4)" and substitute "(d)".

Page 7, line 18, strike "JULY 1, 2017." and substitute "SEPTEMBER 1, 2018.".

Page 2 of the Report, strike line 20 and substitute:

"Page 7, line 19, strike "(5)" and substitute "(3) (a)" and strike "2018," and substitute "2019,".".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-021** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Judiciary Committee Report, dated March 15, 2017, page 3, strike lines 2 and 3 and substitute "SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE DIVISION MAY EXPEND MONEY IN THE CASH FUND FOR THE PURPOSES SET FORTH IN THIS SECTION. ALL INTEREST".

Page 3 of the report, strike lines 8 through 41.

Page 4 of the report, strike lines 1 through 13.

Page 4 of the report, lines 14 and 15, strike "**amend** (5); and".

Page 4 of the report, strike lines 17 through 24 and substitute "**public safety - duties - community corrections contracts.** (7) NOTWITHSTANDING ANY LAW TO THE CONTRARY, ON AND".

Renumber succeeding sections accordingly.

Page 5 of the report, strike lines 6 through 12.

Renumber succeeding section accordingly.

Page 1 of the printed bill, line 102, strike "**SYSTEM, AND, IN CONNECTION**" and substitute "**SYSTEM.**".

Page 1 of the bill, strike line 103.

Appropriations

After consideration on the merits, the Committee recommends that **HB17-1326** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 18, line 6, strike "$186,128;" and substitute "13,595;".

Page 18, line 8, strike "$2,485,477;" and substitute "$2,165,720;".

Page 18, line 10, strike "$1,242,738;" and substitute "$1,082,860;".

Page 18, line 12, strike "$3,241,110." and substitute "$2,775,738.".

Page 18, line 17, strike "$50,972" and substitute "$41,717".

Page 18, line 21, strike "$45,319" and substitute "$36,254".

Page 18, line 23, strike "1.0 FTE;" and substitute "0.8 FTE;".

Page 18, line 24, strike "$5,653" and substitute "$5,463".

Page 18, line 26, strike "$6,628,401" and substitute "$5,865,182".

Page 19, line 3, strike "$56,040" and substitute "$51,001".

Page 19, line 5, strike "0.9 FTE;" and substitute "0.8 FTE;".

Page 19, line 6, strike "$6,519,320" and substitute "$5,761,140".

Appropriations

After consideration on the merits, the Committee recommends that **HB17-1303** 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 **HB17-1296** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB17-1285** 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 **HB17-1282** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated April 27, 2017, page 1, line 6, strike "JULY 1," and substitute "SEPTEMBER 1,".

Appropriations

After consideration on the merits, the Committee recommends that **SB17-267** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Strike the Finance Committee Report, dated April 11, 2017.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1. Legislative declaration.** (1) The general assembly hereby finds and declares that:

(a) In comparison to the urban and suburban areas of the state, rural Colorado, on average and with some exceptions, faces complex demographic, economic, and geographical challenges including:

(I) An older population that requires more medical care;

(II) Less robust and diverse economic activity and associated lower average wages and household incomes; and

(III) Greater challenges, due to distance and less adequate transportation infrastructure, in accessing critical services such as health care; and

(b) The purpose of this legislation is to ensure and perpetuate the sustainability of rural Colorado by addressing some of these demographic, economic, and geographical challenges and by such other means as the general assembly, in its considered judgment, finds necessary and appropriate.

(2) The general assembly further finds and declares that the sustainability of rural Colorado is directly connected to the economic vitality of the state as a whole, and that all of the provisions of this act, including provisions that on their face apply to and affect all areas of the state but that especially benefit rural Colorado, relate to and serve and are necessarily and properly connected to the general assembly's purpose of ensuring and perpetuating the sustainability of rural Colorado.

SECTION 2. In Colorado Revised Statutes, **amend** 2-3-119 as follows:

2-3-119. Audit of healthcare affordability and sustainability fee - cost shift. ~~Starting with the second full state fiscal year following the receipt of the notice from the executive director of the department of health care policy and financing pursuant to section 25.5-4-402.3 (7), C.R.S., and thereafter~~ At the discretion of the legislative audit committee, the state auditor shall conduct or cause to be conducted a performance and fiscal audit of the ~~hospital provider~~ HEALTHCARE AFFORDABILITY AND SUSTAINABILITY fee established pursuant to ~~section 25.5-4-402.3, C.R.S.~~ SECTION 25.5-4-402.4.

SECTION 3. In Colorado Revised Statutes, 2-3-1203, **repeal** (8)(a)(V) as follows:

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal. (8) (a) The following statutory authorizations for the designated advisory committees will repeal on July 1, 2019:

(V) ~~The hospital provider fee oversight and advisory board created in section 25.5-4-402.3, C.R.S.;~~

SECTION 4. In Colorado Revised Statutes, **add** 22-54-139 as follows:

22-54-139. Additional funding for schools - use of retail marijuana sales tax revenue transferred to state public school fund - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "LARGE RURAL DISTRICT" MEANS A DISTRICT IN COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE OF THE DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD A FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF ONE THOUSAND PUPILS OR MORE BUT FEWER THAN SIX THOUSAND FIVE HUNDRED PUPILS.

(b) "PER PUPIL DISTRIBUTION AMOUNT" MEANS:

(I) FOR A LARGE RURAL DISTRICT, AN AMOUNT EQUAL TO THIRTY MILLION DOLLARS MULTIPLIED BY THE PERCENTAGE SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION AND THEN DIVIDED BY THE SUM OF THE TOTAL FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF ALL LARGE RURAL DISTRICTS; AND

(II) FOR A SMALL RURAL DISTRICT, AN AMOUNT EQUAL TO THIRTY MILLION DOLLARS MULTIPLIED BY THE PERCENTAGE SPECIFIED IN SUBSECTION (2)(b) OF THIS SECTION AND THEN DIVIDED BY THE SUM OF THE TOTAL FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF ALL SMALL RURAL DISTRICTS;

(c) "SMALL RURAL DISTRICT" MEANS A DISTRICT IN COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE OF THE DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD A FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF FEWER THAN ONE THOUSAND PUPILS.

(2) FOR THE 2017-18 BUDGET YEAR, ALL OF THE GROSS RETAIL MARIJUANA SALES TAX PROCEEDS TRANSFERRED FROM THE GENERAL FUND TO THE STATE PUBLIC SCHOOL FUND CREATED IN SECTION 22-54-114 (1) AS REQUIRED BY SECTION 39-28.8-203 (1)(b)(I.3)(B) IS APPROPRIATED FROM THE STATE PUBLIC SCHOOL FUND TO THE DEPARTMENT FOR MONTHLY DISTRIBUTION TO EACH LARGE RURAL DISTRICT AND EACH SMALL RURAL DISTRICT FOR THE PURPOSE OF IMPROVING STUDENT LEARNING AND THE EDUCATIONAL ENVIRONMENT, INCLUDING BUT NOT LIMITED TO LOAN FORGIVENESS FOR EDUCATORS AND

STAFF, TECHNOLOGY, AND TRANSPORTATION, AS FOLLOWS:

(a) FIFTY-FIVE PERCENT OF THE MONEY IS ALLOCATED TO LARGE RURAL DISTRICTS AND DISTRIBUTED TO EACH LARGE RURAL DISTRICT IN AN AMOUNT EQUAL TO THE PER PUPIL DISTRIBUTION AMOUNT MULTIPLIED BY THE LARGE RURAL DISTRICT'S FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR FOR PROPORTIONAL APPORTIONMENT TO EVERY SCHOOL IN THE DISTRICT BASED ON THE NUMBER OF STUDENTS ENROLLED IN EACH SCHOOL FOR THE PRIOR BUDGET YEAR; AND

(b) FORTY-FIVE PERCENT OF THE MONEY IS ALLOCATED TO SMALL RURAL SCHOOL DISTRICTS AND DISTRIBUTED TO EACH SMALL RURAL DISTRICT IN AN AMOUNT EQUAL TO THE PER PUPIL DISTRIBUTION AMOUNT MULTIPLIED BY THE SMALL RURAL DISTRICT'S FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR FOR PROPORTIONAL APPORTIONMENT TO EVERY SCHOOL IN THE DISTRICT BASED ON THE NUMBER OF STUDENTS ENROLLED IN EACH SCHOOL FOR THE PRIOR BUDGET YEAR.

(3) FOR THE 2018-19 BUDGET YEAR AND FOR EACH BUDGET YEAR THEREAFTER, ALL OF THE GROSS RETAIL MARIJUANA SALES TAX PROCEEDS TRANSFERRED FROM THE GENERAL FUND TO THE STATE PUBLIC SCHOOL FUND CREATED IN SECTION 22-54-114 (1) AS REQUIRED BY SECTION 39-28.8-203 (1)(b)(I.5)(B) IS APPROPRIATED FROM THE STATE PUBLIC SCHOOL FUND TO THE DEPARTMENT TO MEET THE STATE'S SHARE OF THE TOTAL PROGRAM OF ALL DISTRICTS AND FUNDING FOR INSTITUTE CHARTER SCHOOLS.

SECTION 5. In Colorado Revised Statutes, 23-1-106, **amend** (10.2)(a) as follows:

23-1-106. Duties and powers of the commission with respect to capital construction and long-range planning - legislative declaration - definitions. (10.2) (a) (I) Notwithstanding any law to the contrary AND EXCEPT AS PROVIDED IN SUBSECTION (10.2)(a)(III) OF THIS SECTION, all academic facilities acquired or constructed, or an auxiliary facility repurposed for use as an academic facility, solely from cash funds held by the state institution of higher education and operated and maintained from such cash funds or from state ~~moneys~~ MONEY appropriated for such purpose, or both, including, but not limited to, those facilities described in ~~paragraph (b) of subsection (9)~~ SUBSECTION (9)(b) of this section, that did not previously qualify for state controlled maintenance funding will qualify for state controlled maintenance funding, subject to funding approval by the capital development committee and the eligibility guidelines described in section 24-30-1303.9. ~~C.R.S.~~

(II) For purposes of this ~~paragraph (a)~~ SUBSECTION (10.2)(a), the eligibility for state controlled maintenance funding commences on the date of the acceptance of the construction or repurposing of the facility or the closing date of any acquisition. The date of the acceptance of construction or repurposing shall be determined by the office of the state architect.

(III) IF AN ACADEMIC FACILITY IS ACQUIRED OR CONSTRUCTED, OR IF AN AUXILIARY FACILITY IS REPURPOSED FOR USE AS AN ACADEMIC FACILITY, SOLELY FROM CASH FUNDS HELD BY THE STATE INSTITUTION OF HIGHER EDUCATION AND OPERATED AND MAINTAINED FROM SUCH CASH FUNDS, THEN AS OF THE DATE OF THE ACCEPTANCE OF CONSTRUCTION OR REPURPOSING THAT OCCURS ON OR AFTER JULY 1, 2018, THE FACILITY IS NOT ELIGIBLE FOR CONTROLLED MAINTENANCE FUNDING.

SECTION 6. In Colorado Revised Statutes, 24-1-119.5, **add** (9) as follows:

24-1-119.5. Department of health care policy and financing - creation. (9) THE COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE CREATED IN SECTION 25.5-4-402.4 (3) SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS AS IF THE SAME WERE TRANSFERRED BY A **TYPE 2** TRANSFER, AS DEFINED IN SECTION 24-1-105, TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING. **SECTION 7.** In Colorado Revised Statutes, 24-4-103, **amend** (8)(c)(I) as follows:

24-4-103. Rule-making - procedure - definitions - repeal. (8) (c) (I) Notwithstanding any other provision of law to the contrary and the provisions of section 24-4-107, all rules adopted or amended on or after January 1, 1993, and before November 1, 1993, ~~shall~~ expire at 11:59 p.m. on May 15 of the year following their adoption unless the general assembly by bill acts to postpone the expiration of a specific rule,

and commencing with rules adopted or amended on or after November 1, 1993, all rules adopted or amended during any one-year period that begins each November 1 and continues through the following October 31 ~~shall~~ expire at 11:59 p.m. on the May 15 that follows such one-year period unless the general assembly by bill acts to postpone the expiration of a specific rule; except that a rule adopted pursuant to ~~section 25.5-4-402.3 (5) (b) (III), C.R.S., shall expire~~ SECTION 25.5-4-402.4 (6)(b)(III) EXPIRES at 11:59 p.m. on the May 15 following the adoption of the rule unless the general assembly acts by bill to postpone the expiration of a specific rule. The general assembly, in its discretion, may postpone such expiration, in which case, the provisions of section 24-4-108 or 24-34-104 ~~shall~~ apply, and the rules ~~shall~~ expire or ~~be~~ ARE subject to review as provided in ~~said~~ THOSE sections. The postponement of the expiration of a rule ~~shall~~ DOES not constitute legislative approval of the rule ~~nor be~~ AND IS NOT admissible in any court as evidence of legislative intent. The postponement of the expiration date of a specific rule ~~shall~~ DOES not prohibit any action by the general assembly pursuant to the provisions of ~~paragraph (d) of this subsection (8)~~ SUBSECTION (8)(d) OF THIS SECTION with respect to ~~such~~ THE rule.

SECTION 8. In Colorado Revised Statutes, 24-30-1303.9, **amend** (7)(a)(II), (7)(a)(III), and (7)(a)(IV); and **add** (7)(a)(V) as follows:

24-30-1303.9. Eligibility for state controlled maintenance funding - legislative declaration. (7) (a) Controlled maintenance funds may not be used for:

(II) Auxiliary facilities as defined in section 23-1-106 (10.3); ~~C.R.S.;~~

(III) Leasehold interests in real property; ~~or~~

(IV) Any work properly categorized as capital construction; OR

(V) FACILITIES DESCRIBED IN SECTION 23-1-106 (10.2)(a)(III).

SECTION 9. In Colorado Revised Statutes, **add** 24-37-305 as follows:

24-37-305. 2018-19 fiscal year - required reductions in departmental and executive branch budget requests. (1) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, FOR THE 2018-19 BUDGET YEAR, EACH PRINCIPAL DEPARTMENT OF STATE GOVERNMENT THAT SUBMITS A BUDGET REQUEST TO THE OFFICE OF STATE PLANNING AND BUDGETING SHALL REQUEST, WHEN SUBMITTING THE BUDGET REQUEST, A TOTAL BUDGET FOR THE DEPARTMENT THAT IS AT LEAST TWO PERCENT LOWER THAN ITS ACTUAL BUDGET FOR THE 2017-18 FISCAL YEAR.

(b) THE REQUIREMENT SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION DOES NOT APPLY TO THE DEPARTMENT OF EDUCATION CREATED IN SECTION 24-1-115 (1) OR THE DEPARTMENT OF TRANSPORTATION CREATED IN SECTION 24-1-128.7 (1).

(2) THE OFFICE OF STATE PLANNING AND BUDGETING SHALL STRONGLY CONSIDER THE BUDGET REDUCTION PROPOSALS MADE BY EACH PRINCIPAL DEPARTMENT PURSUANT TO SUBSECTION (1) OF THIS SECTION WHEN PREPARING THE ANNUAL EXECUTIVE BUDGET PROPOSALS TO THE GENERAL ASSEMBLY FOR THE GOVERNOR AS REQUIRED BY SECTION 24-37-302 (1)(g) AND SHALL SEEK TO ENSURE, SUBJECT TO SECTION 24-37-303, THAT THE EXECUTIVE BUDGET PROPOSAL FOR EACH DEPARTMENT IS AT LEAST TWO PERCENT LOWER THAN THE DEPARTMENT'S ACTUAL BUDGET FOR THE 2017-18 FISCAL YEAR.

SECTION 10. In Colorado Revised Statutes, 24-75-219, **repeal as added by Senate Bill 17-262** (2)(c.3)(I) and (2)(c.7)(I) as follows:

24-75-219. Transfers - transportation - capital construction - definitions. (2)(c.3) On June 30, 2019, the state treasurer shall transfer:

(I) ~~One hundred sixty million dollars from the general fund to the highway users tax fund; and~~

(c.7) On June 30, 2020, the state treasurer shall transfer:

(I) ~~One hundred sixty million dollars from the general fund to the highway users tax fund; and~~

SECTION 11. In Colorado Revised Statutes, 24-77-103.6, **amend** (6)(b)(I) as follows:

24-77-103.6. Retention of excess state revenues - general fund exempt account - required uses - excess state revenues legislative report. (6) As used in this section:

(b) (I) "Excess state revenues cap" for a given fiscal year means:

~~either of the following:~~

(A) ~~If the voters of the state approve a ballot issue to authorize the state to incur multiple-fiscal year obligations at the November 2005 statewide election, an amount that is equal to the highest total state revenues for a fiscal year from the period of the 2005-06 fiscal year through the 2009-10 fiscal year, adjusted each subsequent fiscal year for inflation and the percentage change in state population, plus one hundred million dollars, and adjusting such sum for the qualification or disqualification of enterprises and debt service changes; or~~

(B) ~~If the voters of the state do not approve a ballot issue to authorize the state to incur multiple-fiscal year obligations at the November 2005 statewide election,~~ FOR EACH FISCAL YEAR UP TO AND INCLUDING THE 2016-17 FISCAL YEAR, an amount that is equal to the highest total state revenues for a fiscal year from the period of the 2005-06 fiscal year through the 2009-10 fiscal year, adjusted each subsequent fiscal year for inflation, the percentage change in state population, the qualification or disqualification of enterprises, and debt service changes;

(C) FOR THE 2017-18 FISCAL YEAR, AN AMOUNT THAT IS EQUAL TO THE EXCESS STATE REVENUES CAP FOR THE 2016-17 FISCAL YEAR CALCULATED PURSUANT TO SUBSECTION (6)(b)(I)(B) OF THIS SECTION, ADJUSTED FOR INFLATION, THE PERCENTAGE CHANGE IN STATE POPULATION, THE QUALIFICATION OR DISQUALIFICATION OF ENTERPRISES, AND DEBT SERVICE CHANGES, LESS TWO HUNDRED MILLION DOLLARS; AND

(D) FOR THE 2018-19 FISCAL YEAR AND EACH SUCCEEDING FISCAL YEAR, THE AMOUNT OF THE EXCESS STATE REVENUES CAP FOR THE 2017-18 FISCAL YEAR CALCULATED PURSUANT TO SUBSECTION (6)(b)(I)(C) OF THIS SECTION, ADJUSTED EACH SUBSEQUENT FISCAL YEAR FOR INFLATION, THE PERCENTAGE CHANGE IN STATE POPULATION, THE QUALIFICATION OR DISQUALIFICATION OF ENTERPRISES, AND DEBT SERVICE CHANGES.

SECTION 12. In Colorado Revised Statutes, **add** part 13 to article 82 of title 24 as follows:

LEASE-PURCHASE AGREEMENTS FOR STATE PROPERTY

24-82-1301. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) DUE TO INSUFFICIENT FUNDING, NECESSARY HIGH-PRIORITY STATE HIGHWAY PROJECTS AND STATE CAPITAL CONSTRUCTION PROJECTS, INCLUDING PROJECTS AT STATE INSTITUTIONS OF HIGHER EDUCATION, IN ALL AREAS OF THE STATE HAVE BEEN DELAYED, AND THE STATE HAS ALSO DELAYED CRITICAL CONTROLLED MAINTENANCE AND UPKEEP OF STATE CAPITAL ASSETS;

(b) BY ISSUING LEASE-PURCHASE AGREEMENTS USING STATE BUILDINGS AS COLLATERAL AS AUTHORIZED BY THIS PART 13, THE STATE CAN GENERATE SUFFICIENT FUNDS TO ACCELERATE THE COMPLETION OF MANY OF THE NECESSARY HIGH-PRIORITY STATE HIGHWAY PROJECTS AND CAPITAL CONSTRUCTION PROJECTS THAT HAVE BEEN DELAYED AND BETTER MAINTAIN AND PRESERVE EXISTING STATE CAPITAL ASSETS;

(c) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT A MAJORITY OF THE ADDITIONAL FUNDING FOR STATE CAPITAL CONSTRUCTION PROJECTS REALIZED FROM ISSUING LEASE-PURCHASE AGREEMENTS BE USED FOR CONTROLLED MAINTENANCE AND UPKEEP OF STATE CAPITAL ASSETS.

24-82-1302. Definitions. AS USED IN THIS PART 13, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "CAPITAL CONSTRUCTION" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-30-1301 (2).

(2) "CONTROLLED MAINTENANCE" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-30-1301 (4).

(3) "ELIGIBLE STATE FACILITY" MEANS ANY FINANCIALLY UNENCUMBERED BUILDING, STRUCTURE, OR FACILITY THAT IS OWNED BY THE STATE, INCLUDING A BUILDING, STRUCTURE, OR FACILITY DETERMINED TO BE ELIGIBLE BY A GOVERNING BOARD OF A STATE INSTITUTION OF HIGHER EDUCATION, AND DOES NOT INCLUDE ANY BUILDING, STRUCTURE, OR FACILITY THAT IS PART OF THE STATE EMERGENCY RESERVE FOR ANY STATE FISCAL YEAR AS DESIGNATED IN THE ANNUAL GENERAL APPROPRIATION ACT.

(4) "STATE INSTITUTION OF HIGHER EDUCATION" MEANS A STATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN SECTION 23-18-102 (10), AND THE AURARIA HIGHER EDUCATION CENTER CREATED IN ARTICLE 70 OF TITLE 23.

24-82-1303. Lease-purchase agreements for capital construction and transportation projects. (1) ON OR BEFORE DECEMBER 31, 2017, THE STATE ARCHITECT, THE DIRECTOR OF THE OFFICE OF STATE PLANNING AND BUDGETING OR HIS OR HER DESIGNEE, AND THE STATE INSTITUTIONS OF HIGHER EDUCATION SHALL IDENTIFY AND PREPARE A COLLABORATIVE LIST OF ELIGIBLE STATE FACILITIES THAT CAN BE COLLATERALIZED AS PART OF THE LEASE-PURCHASE AGREEMENTS FOR CAPITAL CONSTRUCTION AND TRANSPORTATION PROJECTS AUTHORIZED IN THIS PART 13. THE TOTAL CURRENT REPLACEMENT VALUE OF THE IDENTIFIED BUILDINGS MUST EQUAL AT LEAST TWO BILLION DOLLARS.

(2) (a) NOTWITHSTANDING THE PROVISIONS OF SECTIONS 24-82-102 (1)(b) AND 24-82-801, AND PURSUANT TO SECTION 24-36-121, NO SOONER THAN JULY 1, 2018, THE STATE, ACTING BY AND THROUGH THE STATE TREASURER, SHALL EXECUTE LEASE-PURCHASE AGREEMENTS, EACH FOR NO MORE THAN TWENTY YEARS OF ANNUAL PAYMENTS, FOR THE PROJECTS DESCRIBED IN SUBSECTION (4) OF THIS SECTION. THE STATE SHALL EXECUTE THE LEASE-PURCHASE AGREEMENTS ONLY IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

(I) DURING THE 2018-19 STATE FISCAL YEAR, THE STATE SHALL EXECUTE LEASE-PURCHASE AGREEMENTS IN AN AMOUNT UP TO FIVE HUNDRED MILLION DOLLARS;

(II) DURING THE 2019-20 STATE FISCAL YEAR, THE STATE SHALL EXECUTE LEASE-PURCHASE AGREEMENTS IN AN AMOUNT UP TO FIVE HUNDRED MILLION DOLLARS;

(III) DURING THE 2020-21 STATE FISCAL YEAR, THE STATE SHALL EXECUTE LEASE-PURCHASE AGREEMENTS IN AN AMOUNT UP TO FIVE HUNDRED MILLION DOLLARS; AND

(IV) DURING THE 2021-22 FISCAL YEAR, THE STATE SHALL EXECUTE LEASE-PURCHASE AGREEMENTS IN AN AMOUNT UP TO FIVE HUNDRED MILLION DOLLARS.

(b) THE ANTICIPATED ANNUAL STATE-FUNDED PAYMENTS FOR THE PRINCIPAL AND INTEREST COMPONENTS OF THE AMOUNT PAYABLE UNDER ALL LEASE-PURCHASE AGREEMENTS ENTERED INTO PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION SHALL NOT EXCEED ONE HUNDRED FIFTY MILLION DOLLARS.

(c) THE STATE, ACTING BY AND THROUGH THE STATE TREASURER, AT THE STATE TREASURER'S SOLE DISCRETION, MAY ENTER INTO ONE OR MORE LEASE-PURCHASE AGREEMENTS AUTHORIZED BY SUBSECTION (2)(a) OF THIS SECTION WITH ANY FOR-PROFIT OR NONPROFIT CORPORATION, TRUST, OR COMMERCIAL BANK AS A TRUSTEE AS THE LESSOR.

(d) ANY LEASE-PURCHASE AGREEMENT EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION SHALL PROVIDE THAT ALL OF THE OBLIGATIONS OF THE STATE UNDER THE AGREEMENT ARE SUBJECT TO THE ACTION OF THE GENERAL ASSEMBLY IN ANNUALLY MAKING MONEY AVAILABLE FOR ALL PAYMENTS THEREUNDER. PAYMENTS UNDER ANY LEASE-PURCHASE AGREEMENT MUST BE MADE, SUBJECT TO ANNUAL ALLOCATION PURSUANT TO SECTION 43-1-113 BY THE TRANSPORTATION COMMISSION CREATED IN SECTION 43-1-106 (1) OR SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, AS APPLICABLE, FROM THE FOLLOWING SOURCES OF MONEY:

(I) FIRST, NINE MILLION DOLLARS ANNUALLY, OR ANY LESSER AMOUNT THAT IS SUFFICIENT TO MAKE EACH FULL PAYMENT DUE, SHALL BE PAID FROM THE GENERAL FUND OR ANY OTHER LEGALLY AVAILABLE SOURCE OF MONEY FOR THE PURPOSE OF FULLY FUNDING THE CONTROLLED MAINTENANCE AND CAPITAL CONSTRUCTION PROJECTS IN THE STATE TO BE FUNDED WITH THE PROCEEDS OF LEASE-PURCHASE AGREEMENTS AS SPECIFIED IN SUBSECTION (4)(a) OF THIS SECTION;

(II) NEXT, FIFTY MILLION DOLLARS ANNUALLY, OR ANY LESSER AMOUNT THAT IS SUFFICIENT TO MAKE EACH FULL PAYMENT DUE, SHALL BE PAID FROM ANY LEGALLY AVAILABLE MONEY UNDER THE CONTROL OF THE TRANSPORTATION COMMISSION SOLELY FOR THE PURPOSE OF ALLOWING THE CONSTRUCTION, SUPERVISION, AND MAINTENANCE OF STATE HIGHWAYS TO BE FUNDED WITH THE PROCEEDS OF LEASE-PURCHASE AGREEMENTS AS SPECIFIED IN SUBSECTION (4)(b) OF

THIS SECTION AND SECTION 43-4-206 (1)(b)(V); AND

(III) THE REMAINDER OF THE AMOUNT NEEDED, IN ADDITION TO THE AMOUNTS SPECIFIED IN SUBSECTIONS (2)(d)(I) AND (2)(d)(II) OF THIS SECTION, TO MAKE EACH FULL PAYMENT DUE SHALL BE PAID FROM THE GENERAL FUND OR ANY OTHER LEGALLY AVAILABLE SOURCE OF MONEY.

(e) EACH AGREEMENT MUST ALSO PROVIDE THAT THE OBLIGATIONS OF THE STATE DO NOT CREATE STATE DEBT WITHIN THE MEANING OF ANY PROVISION OF THE STATE CONSTITUTION OR STATE LAW CONCERNING OR LIMITING THE CREATION OF STATE DEBT AND ARE NOT A MULTIPLE FISCAL-YEAR DIRECT OR INDIRECT DEBT OR OTHER FINANCIAL OBLIGATION OF THE STATE WITHIN THE MEANING OF SECTION 20 (4) OF ARTICLE X OF THE STATE CONSTITUTION. IF THE STATE DOES NOT RENEW A LEASE-PURCHASE AGREEMENT EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION, THE SOLE SECURITY AVAILABLE TO THE LESSOR IS THE PROPERTY THAT IS THE SUBJECT OF THE NONRENEWED LEASE-PURCHASE AGREEMENT.

(f) A LEASE-PURCHASE AGREEMENT EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION MAY CONTAIN SUCH TERMS, PROVISIONS, AND CONDITIONS AS THE STATE TREASURER, ACTING ON BEHALF OF THE STATE, DEEMS APPROPRIATE, INCLUDING ALL OPTIONAL TERMS; EXCEPT THAT EACH LEASE-PURCHASE AGREEMENT MUST SPECIFICALLY AUTHORIZE THE STATE OR THE GOVERNING BOARD OF THE APPLICABLE STATE INSTITUTION OF HIGHER EDUCATION TO RECEIVE FEE TITLE TO ALL REAL AND PERSONAL PROPERTY THAT IS THE SUBJECT OF THE LEASE-PURCHASE AGREEMENT ON OR BEFORE THE EXPIRATION OF THE TERMS OF THE AGREEMENT.

(g) ANY LEASE-PURCHASE AGREEMENT EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION MAY PROVIDE FOR THE ISSUANCE, DISTRIBUTION, AND SALE OF INSTRUMENTS EVIDENCING RIGHTS TO RECEIVE RENTALS AND OTHER PAYMENTS MADE AND TO BE MADE UNDER THE LEASE-PURCHASE AGREEMENT. THE INSTRUMENTS MAY BE ISSUED, DISTRIBUTED, OR SOLD ONLY BY THE LESSOR OR ANY PERSON DESIGNATED BY THE LESSOR AND NOT BY THE STATE. THE INSTRUMENTS DO NOT CREATE A RELATIONSHIP BETWEEN THE PURCHASERS OF THE INSTRUMENTS AND THE STATE OR CREATE ANY OBLIGATION ON THE PART OF THE STATE TO THE PURCHASERS. THE INSTRUMENTS ARE NOT NOTES, BONDS, OR ANY OTHER EVIDENCE OF STATE DEBT WITHIN THE MEANING OF ANY PROVISION OF THE STATE CONSTITUTION OR STATE LAW CONCERNING OR LIMITING THE CREATION OF STATE DEBT AND ARE NOT A MULTIPLE FISCAL-YEAR DIRECT OR INDIRECT DEBT OR OTHER FINANCIAL OBLIGATION OF THE STATE WITHIN THE MEANING OF SECTION 20 (4) OF ARTICLE X OF THE STATE CONSTITUTION.

(h) INTEREST PAID UNDER A LEASE-PURCHASE AGREEMENT AUTHORIZED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION, INCLUDING INTEREST REPRESENTED BY THE INSTRUMENTS, IS EXEMPT FROM COLORADO INCOME TAX.

(i) THE STATE, ACTING BY AND THROUGH THE STATE TREASURER AND THE GOVERNING BOARDS OF THE INSTITUTIONS OF HIGHER EDUCATION, IS AUTHORIZED TO ENTER INTO ANCILLARY AGREEMENTS AND INSTRUMENTS THAT ARE NECESSARY OR APPROPRIATE IN CONNECTION WITH A LEASE-PURCHASE AGREEMENT, INCLUDING BUT NOT LIMITED TO DEEDS, GROUND LEASES, SUB-LEASES, EASEMENTS, OR OTHER INSTRUMENTS RELATING TO THE REAL PROPERTY ON WHICH THE FACILITIES ARE LOCATED.

(j) THE PROVISIONS OF SECTION 24-30-202 (5)(b) DO NOT APPLY TO A LEASE-PURCHASE AGREEMENT EXECUTED AS REQUIRED BY OR TO ANY ANCILLARY AGREEMENT OR INSTRUMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (2). THE STATE CONTROLLER OR HIS OR HER DESIGNEE SHALL WAIVE ANY PROVISION OF THE FISCAL RULES PROMULGATED PURSUANT TO SECTION 24-30-202 (1) AND (13), THAT THE STATE CONTROLLER FINDS INCOMPATIBLE OR INAPPLICABLE WITH RESPECT TO A LEASE-PURCHASE AGREEMENT OR AN ANCILLARY AGREEMENT OR INSTRUMENT.

(3) (a) BEFORE EXECUTING A LEASE-PURCHASE AGREEMENT REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION, IN ORDER TO PROTECT AGAINST FUTURE INTEREST RATE INCREASES, THE STATE, ACTING BY AND THROUGH THE STATE TREASURER AND AT THE DISCRETION OF THE STATE TREASURER, MAY ENTER INTO AN INTEREST RATE EXCHANGE AGREEMENT PURSUANT TO ARTICLE 59.3 OF TITLE 11. A LEASE-PURCHASE AGREEMENT

EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION IS A PROPOSED PUBLIC SECURITY FOR THE PURPOSES OF ARTICLE 59.3 OF TITLE 11. ANY PAYMENTS MADE BY THE STATE UNDER AN AGREEMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (3) MUST BE MADE SOLELY FROM MONEY MADE AVAILABLE TO THE STATE TREASURER FROM THE EXECUTION OF A LEASE-PURCHASE AGREEMENT OR FROM MONEY DESCRIBED IN SUBSECTIONS (2)(d)(I) AND (2)(d)(II) OF THIS SECTION.

(b) ANY AGREEMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (3) MUST ALSO PROVIDE THAT THE OBLIGATIONS OF THE STATE DO NOT CREATE STATE DEBT WITHIN THE MEANING OF ANY PROVISION OF THE STATE CONSTITUTION OR STATE LAW CONCERNING OR LIMITING THE CREATION OF STATE DEBT AND ARE NOT A MULTIPLE FISCAL-YEAR DIRECT OR INDIRECT DEBT OR OTHER FINANCIAL OBLIGATION OF THE STATE WITHIN THE MEANING OF SECTION 20 (4) OF ARTICLE X OF THE STATE CONSTITUTION.

(c) ANY MONEY RECEIVED BY THE STATE UNDER AN AGREEMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (3) SHALL BE USED TO MAKE PAYMENTS ON LEASE-PURCHASE AGREEMENTS ENTERED INTO PURSUANT TO SUBSECTION (2) OF THIS SECTION OR TO PAY THE COSTS OF THE PROJECT FOR WHICH A LEASE-PURCHASE AGREEMENT WAS EXECUTED.

(4) PROCEEDS OF LEASE-PURCHASE AGREEMENTS EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION SHALL BE USED AS FOLLOWS:

(a) (I) THE FIRST ONE HUNDRED TWENTY MILLION DOLLARS OF THE PROCEEDS OF LEASE-PURCHASE AGREEMENTS ISSUED DURING THE 2018-19 STATE FISCAL YEAR SHALL BE USED FOR CONTROLLED MAINTENANCE AND CAPITAL CONSTRUCTION PROJECTS IN THE STATE AS FOLLOWS:

(A) THIRTEEN MILLION SIX THOUSAND EIGHTY-ONE DOLLARS FOR LEVEL I CONTROLLED MAINTENANCE;

(B) SIXTY MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND THREE HUNDRED FIVE DOLLARS FOR LEVEL II CONTROLLED MAINTENANCE;

(C) FORTY MILLION TWO HUNDRED NINE THOUSAND FIVE HUNDRED THIRTY-FIVE DOLLARS FOR LEVEL III CONTROLLED MAINTENANCE; AND

(D) THE REMAINDER FOR CAPITAL CONSTRUCTION PROJECTS AS PRIORITIZED BY THE CAPITAL DEVELOPMENT COMMITTEE.

(II) THE CAPITAL DEVELOPMENT COMMITTEE SHALL POST THE LIST OF SPECIFIC CONTROLLED MAINTENANCE PROJECTS AND THE COST OF EACH PROJECT FUNDED PURSUANT TO SUBSECTION (4)(a)(I)(A), (4)(a)(I)(B), OR (4)(a)(I)(C) OF THIS SECTION ON ITS OFFICIAL WEBSITE NO LATER THAN MAY 11, 2017.

(b) THE REMAINDER OF THE PROCEEDS SHALL BE CREDITED TO THE STATE HIGHWAY FUND CREATED IN SECTION 43-1-219 AND USED BY THE DEPARTMENT OF TRANSPORTATION IN ACCORDANCE WITH SECTION 43-4-206 (1)(b)(V).

SECTION 13. In Colorado Revised Statutes, 25.5-3-108, **amend** (17) as follows:

25.5-3-108. Responsibility of the department of health care policy and financing - provider reimbursement. (17) Subject to adequate funding BEING made available under ~~section 25.5-4-402.3~~ SECTION 25.5-4-402.4, the ~~state department~~ COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE CREATED IN SECTION 25.5-4-402.4 (3) shall increase hospital reimbursements up to one hundred percent of hospital costs for providing medical care under the program.

SECTION 14. In Colorado Revised Statutes, 25.5-4-209, **amend** (1)(b); and **add** (1)(c) and (1)(d) as follows:

25.5-4-209. Payments by third parties - copayments by recipients - review - appeal - children's waiting list reduction fund. (1) (b) Subject to any limitations imposed by Title XIX AND THE REQUIREMENTS SET FORTH IN SUBSECTION (1)(c) OF THIS SECTION, a recipient ~~shall be required to~~ MUST pay at the time of service a portion of the cost of any medical benefit rendered to the recipient or to the recipient's dependents pursuant to this ~~article~~ ARTICLE 4 or article 5 or 6 of this ~~title~~ TITLE 25.5, as determined by ~~rule~~ RULES of the state department.

(c) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(c)(II) OF THIS SECTION, ON AND AFTER JANUARY 1, 2018, FOR PHARMACY AND FOR HOSPITAL OUTPATIENT SERVICES, INCLUDING URGENT CARE CENTERS AND FACILITIES AND EMERGENCY SERVICES, THE RULES OF THE STATE DEPARTMENT REQUIRED BY SUBSECTION (1)(b) OF THIS SECTION MUST REQUIRE THE RECIPIENT TO PAY:

(A) FOR PHARMACY, AT LEAST DOUBLE THE AVERAGE AMOUNT PAID BY RECIPIENTS IN STATE FISCAL YEAR 2015-16; OR

(B) FOR HOSPITAL OUTPATIENT SERVICES, AT LEAST DOUBLE THE AMOUNT REQUIRED TO BE PAID AS SPECIFIED IN THE RULES AS OF JANUARY 1, 2017.

(II) FOR BOTH PHARMACY AND HOSPITAL OUTPATIENT SERVICES, THE AMOUNT REQUIRED TO BE PAID BY THE RECIPIENT SHALL NOT EXCEED ANY SPECIFIED MAXIMUM DOLLAR AMOUNT ALLOWED BY FEDERAL LAW OR REGULATIONS AS OF JANUARY 1, 2017.

(d) THE STATE DEPARTMENT SHALL EVALUATE OPTIONS TO EXEMPT INDIVIDUALS WHO ARE QUALIFIED FOR INSTITUTIONAL CARE BUT ARE INSTEAD ENROLLED IN HOME- AND COMMUNITY-BASED SERVICE WAIVERS FROM THE INCREASED PAYMENT REQUIREMENTS SPECIFIED IN SUBSECTION (1)(c) OF THIS SECTION.

SECTION 15. In Colorado Revised Statutes, 25.5-4-402, **amend** (3)(a) as follows:

25.5-4-402. Providers - hospital reimbursement - rules. (3) (a) In addition to the reimbursement rate process described in subsection (1) of this section and subject to adequate funding BEING made available pursuant to ~~section 25.5-4-402.3~~ SECTION 25.5-4-402.4, the ~~state department~~ COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE CREATED IN SECTION 25.5-4-402.4 (3) shall pay an additional amount based upon performance to those hospitals that provide services that improve health care outcomes for their patients. ~~This amount shall be determined by~~ The state department SHALL DETERMINE THIS AMOUNT based upon nationally recognized performance measures established in rules adopted by the state board. The state quality standards ~~shall~~ MUST be consistent with federal quality standards published by an organization with expertise in health care quality, including but not limited to, the centers for medicare and medicaid services, the agency for healthcare research and quality, or the national quality forum.

SECTION 16. In Colorado Revised Statutes, **repeal as amended by Senate Bill 17-256** 25.5-4-402.3.

SECTION 17. In Colorado Revised Statutes, **add** 25.5-4-402.4 as follows:

25.5-4-402.4. Hospitals - healthcare affordability and sustainability fee - legislative declaration - Colorado healthcare affordability and sustainability enterprise - federal waiver - fund created - rules. (1) **Short title.** THE SHORT TITLE OF THIS SECTION IS THE "COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE ACT OF 2017".

(2) **Legislative declaration.** THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) THE STATE AND THE PROVIDERS OF PUBLICLY FUNDED MEDICAL SERVICES, AND HOSPITALS IN PARTICULAR, SHARE A COMMON COMMITMENT TO COMPREHENSIVE HEALTH CARE REFORM;

(b) HOSPITALS WITHIN THE STATE INCUR SIGNIFICANT COSTS BY PROVIDING UNCOMPENSATED EMERGENCY DEPARTMENT CARE AND OTHER UNCOMPENSATED MEDICAL SERVICES TO LOW-INCOME AND UNINSURED POPULATIONS;

(c) THIS SECTION IS ENACTED AS PART OF A COMPREHENSIVE HEALTH CARE REFORM AND IS INTENDED TO PROVIDE THE FOLLOWING SERVICES AND BENEFITS TO HOSPITALS AND INDIVIDUALS:

(I) PROVIDING A PAYER SOURCE FOR SOME LOW-INCOME AND UNINSURED POPULATIONS WHO MAY OTHERWISE BE CARED FOR IN EMERGENCY DEPARTMENTS AND OTHER SETTINGS IN WHICH UNCOMPENSATED CARE IS PROVIDED;

(II) REDUCING THE UNDERPAYMENT TO COLORADO HOSPITALS PARTICIPATING IN PUBLICLY FUNDED HEALTH INSURANCE PROGRAMS;

(III) REDUCING THE NUMBER OF PERSONS IN COLORADO WHO ARE WITHOUT HEALTH CARE BENEFITS;

(IV) REDUCING THE NEED OF HOSPITALS AND OTHER HEALTH

CARE PROVIDERS TO SHIFT THE COST OF PROVIDING UNCOMPENSATED CARE TO OTHER PAYERS;

(V) EXPANDING ACCESS TO HIGH-QUALITY, AFFORDABLE HEALTH CARE FOR LOW-INCOME AND UNINSURED POPULATIONS; AND

(VI) PROVIDING THE ADDITIONAL BUSINESS SERVICES SPECIFIED IN SUBSECTION (4)(a)(IV) OF THIS SECTION TO HOSPITALS THAT PAY THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE CHARGED AND COLLECTED AS AUTHORIZED BY SUBSECTION (4) OF THIS SECTION BY THE COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE CREATED IN SUBSECTION (3)(a) OF THIS SECTION;

(d) THE COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE PROVIDES BUSINESS SERVICES TO HOSPITALS WHEN, IN EXCHANGE FOR PAYMENT OF HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEES BY HOSPITALS, IT:

(I) OBTAINS FEDERAL MATCHING MONEY AND RETURNS BOTH THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AND THE FEDERAL MATCHING MONEY TO HOSPITALS TO INCREASE REIMBURSEMENT RATES TO HOSPITALS FOR PROVIDING MEDICAL CARE UNDER THE STATE MEDICAL ASSISTANCE PROGRAM AND THE COLORADO INDIGENT CARE PROGRAM AND TO INCREASE THE NUMBER OF INDIVIDUALS COVERED BY PUBLIC MEDICAL ASSISTANCE; AND

(II) PROVIDES ADDITIONAL BUSINESS SERVICES TO HOSPITALS AS SPECIFIED IN SUBSECTION (4)(a)(IV) OF THIS SECTION;

(e) IT IS NECESSARY, APPROPRIATE, AND IN THE BEST INTEREST OF THE STATE TO ACKNOWLEDGE THAT BY PROVIDING THE BUSINESS SERVICES SPECIFIED IN SUBSECTIONS (2)(d)(I) AND (2)(d)(II) OF THIS SECTION, THE COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE ENGAGES IN AN ACTIVITY CONDUCTED IN THE PURSUIT OF A BENEFIT, GAIN, OR LIVELIHOOD AND THEREFORE OPERATES AS A BUSINESS;

(f) CONSISTENT WITH THE DETERMINATION OF THE COLORADO SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY,* 896 P.2d 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, IT IS THE CONCLUSION OF THE GENERAL ASSEMBLY THAT THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE CHARGED AND COLLECTED BY THE COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE IS A FEE, NOT A TAX, BECAUSE THE FEE IS IMPOSED FOR THE SPECIFIC PURPOSES OF ALLOWING THE ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING THE BUSINESS SERVICES SPECIFIED IN SUBSECTIONS (2)(d)(I) AND (2)(d)(II) OF THIS SECTION TO HOSPITALS THAT PAY THE FEE AND IS COLLECTED AT RATES THAT ARE REASONABLY CALCULATED BASED ON THE BENEFITS RECEIVED BY THOSE HOSPITALS; AND

(g) SO LONG AS THE COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE QUALIFIES AS AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, THE REVENUES FROM THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE CHARGED AND COLLECTED BY THE ENTERPRISE ARE NOT STATE FISCAL YEAR SPENDING, AS DEFINED IN SECTION 24-77-102 (17), OR STATE REVENUES, AS DEFINED IN SECTION 24-77-103.6 (6)(c), AND DO NOT COUNT AGAINST EITHER THE STATE FISCAL YEAR SPENDING LIMIT IMPOSED BY SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR THE EXCESS STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b)(I).

(3) (a) THE COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE, REFERRED TO IN THIS SECTION AS THE "ENTERPRISE", IS CREATED. THE ENTERPRISE IS AND OPERATES AS A GOVERNMENT-OWNED BUSINESS WITHIN THE STATE DEPARTMENT FOR THE PURPOSE OF CHARGING AND COLLECTING THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE, LEVERAGING HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE REVENUE TO OBTAIN FEDERAL MATCHING MONEY, AND UTILIZING AND DEPLOYING THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE REVENUE AND FEDERAL MATCHING MONEY TO PROVIDE THE BUSINESS SERVICES SPECIFIED IN SUBSECTIONS (2)(d)(I) AND (2)(d)(II) OF THIS SECTION TO HOSPITALS THAT PAY THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE.

(b) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION SO LONG AS IT

RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL REVENUES IN GRANTS FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. SO LONG AS IT CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SUBSECTION (3)(b), THE ENTERPRISE IS NOT SUBJECT TO ANY PROVISIONS OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

(c) (I) THE REPEAL OF THE HOSPITAL PROVIDER FEE PROGRAM, AS IT EXISTED PURSUANT TO SECTION 25.5-4-402.3 BEFORE ITS REPEAL, EFFECTIVE JULY 1, 2017, BY SENATE BILL 17-267, ENACTED IN 2017, AND THE CREATION OF THE COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE AS A NEW ENTERPRISE TO CHARGE AND COLLECT A NEW HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AS AUTHORIZED BY SUBSECTION (4) OF THIS SECTION AND PROVIDE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE-FUNDED BUSINESS SERVICES TO HOSPITALS THAT REPLACE AND SUPPLEMENT SERVICES PREVIOUSLY FUNDED BY HOSPITAL PROVIDER FEES IS THE CREATION OF A NEW GOVERNMENT-OWNED BUSINESS THAT PROVIDES BUSINESS SERVICES TO HOSPITALS AS A NEW ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, DOES NOT CONSTITUTE THE QUALIFICATION OF AN EXISTING GOVERNMENT-OWNED BUSINESS AS AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR SECTION 24-77-103.6 (6)(b)(II), AND, THEREFORE, DOES NOT REQUIRE OR AUTHORIZE ADJUSTMENT OF THE STATE FISCAL YEAR SPENDING LIMIT CALCULATED PURSUANT TO SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR THE EXCESS STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b)(I).

(II) NOTWITHSTANDING SUBSECTION (3)(c)(I) OF THIS SECTION, BECAUSE THE REPEAL OF THE HOSPITAL PROVIDER FEE PROGRAM, AS IT EXISTED PURSUANT TO SECTION 25.5-4-402.3 BEFORE ITS REPEAL BY SENATE BILL 17-267, ENACTED IN 2017, WILL ALLOW THE STATE TO SPEND MORE GENERAL FUND MONEY FOR GENERAL GOVERNMENTAL PURPOSES THAN IT WOULD OTHERWISE BE ABLE TO SPEND BELOW THE EXCESS STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b)(I), IT IS APPROPRIATE TO RESTRAIN THE GROWTH OF GOVERNMENT BY LOWERING THE BASE AMOUNT USED TO CALCULATE THE EXCESS STATE REVENUES CAP FOR THE 2017-18 STATE FISCAL YEAR BY TWO HUNDRED MILLION DOLLARS.

(d) THE ENTERPRISE'S PRIMARY POWERS AND DUTIES ARE:

(I) TO CHARGE AND COLLECT THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AS SPECIFIED IN SUBSECTION (4) OF THIS SECTION;

(II) TO LEVERAGE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE REVENUE COLLECTED TO OBTAIN FEDERAL MATCHING MONEY, WORKING WITH OR THROUGH THE STATE DEPARTMENT AND THE STATE BOARD TO THE EXTENT REQUIRED BY FEDERAL LAW OR OTHERWISE NECESSARY;

(III) TO EXPEND HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE REVENUE, MATCHING FEDERAL MONEY, AND ANY OTHER MONEY FROM THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE CASH FUND AS SPECIFIED IN SUBSECTIONS (4) AND (5) OF THIS SECTION;

(IV) TO ISSUE REVENUE BONDS PAYABLE FROM THE REVENUES OF THE ENTERPRISE;

(V) TO ENTER INTO AGREEMENTS WITH THE STATE DEPARTMENT TO THE EXTENT NECESSARY TO COLLECT AND EXPEND HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE REVENUE;

(VI) TO ENGAGE THE SERVICES OF PRIVATE PERSONS OR ENTITIES SERVING AS CONTRACTORS, CONSULTANTS, AND LEGAL COUNSEL FOR PROFESSIONAL AND TECHNICAL ASSISTANCE AND ADVICE AND TO SUPPLY OTHER SERVICES RELATED TO THE CONDUCT OF THE AFFAIRS OF THE ENTERPRISE, INCLUDING THE PROVISION OF ADDITIONAL BUSINESS SERVICES TO HOSPITALS AS SPECIFIED IN SUBSECTION (4)(a)(IV) OF THIS SECTION; AND

(VII) TO ADOPT AND AMEND OR REPEAL POLICIES FOR THE REGULATION OF ITS AFFAIRS AND THE CONDUCT OF ITS BUSINESS CONSISTENT WITH THE PROVISIONS OF THIS SECTION.

(e) THE ENTERPRISE SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AS IF THE SAME WERE TRANSFERRED TO THE STATE DEPARTMENT BY A **TYPE 2** TRANSFER, AS DEFINED IN SECTION 24-1-105.

(4) **Healthcare affordability and sustainability fee.** (a) FOR THE FISCAL YEAR COMMENCING JULY 1, 2017, AND FOR EACH FISCAL YEAR THEREAFTER, THE ENTERPRISE IS AUTHORIZED TO CHARGE AND COLLECT A HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE, AS DESCRIBED IN 42 CFR 433.68 (b), ON OUTPATIENT AND INPATIENT SERVICES PROVIDED BY ALL LICENSED OR CERTIFIED HOSPITALS, REFERRED TO IN THIS SECTION AS "HOSPITALS", FOR THE PURPOSE OF OBTAINING FEDERAL FINANCIAL PARTICIPATION UNDER THE STATE MEDICAL ASSISTANCE PROGRAM AS DESCRIBED IN THIS ARTICLE 4 AND ARTICLES 5 AND 6 OF THIS TITLE 25.5, REFERRED TO IN THIS SECTION AS THE "STATE MEDICAL ASSISTANCE PROGRAM", AND THE COLORADO INDIGENT CARE PROGRAM DESCRIBED IN PART 1 OF ARTICLE 3 OF THIS TITLE 25.5, REFERRED TO IN THIS SECTION AS THE "COLORADO INDIGENT CARE PROGRAM". THE ENTERPRISE SHALL USE THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE REVENUE TO:

(I) PROVIDE A BUSINESS SERVICE TO HOSPITALS BY INCREASING REIMBURSEMENT TO HOSPITALS FOR PROVIDING MEDICAL CARE UNDER:

(A) THE STATE MEDICAL ASSISTANCE PROGRAM; AND

(B) THE COLORADO INDIGENT CARE PROGRAM;

(II) PROVIDE A BUSINESS SERVICE TO HOSPITALS BY INCREASING THE NUMBER OF INDIVIDUALS COVERED BY PUBLIC MEDICAL ASSISTANCE AND THEREBY REDUCING THE AMOUNT OF UNCOMPENSATED CARE THAT THE HOSPITALS MUST PROVIDE;

(III) PAY THE ADMINISTRATIVE COSTS TO THE ENTERPRISE IN IMPLEMENTING AND ADMINISTERING THIS SECTION SUBJECT TO THE LIMITATION THAT ADMINISTRATIVE COSTS OF THE ENTERPRISE ARE LIMITED TO THREE PERCENT OF THE ENTERPRISE'S EXPENDITURES BASED ON A METHODOLOGY APPROVED BY THE OFFICE OF STATE PLANNING AND BUDGETING AND THE STAFF OF THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY; AND

(IV) PROVIDE OR CONTRACT FOR OR ARRANGE THE PROVISION OF ADDITIONAL BUSINESS SERVICES TO HOSPITALS BY:

(A) CONSULTING WITH HOSPITALS TO HELP THEM IMPROVE BOTH COST EFFICIENCY AND PATIENT SAFETY IN PROVIDING MEDICAL SERVICES AND THE CLINICAL EFFECTIVENESS OF THOSE SERVICES;

(B) ADVISING HOSPITALS REGARDING POTENTIAL CHANGES TO FEDERAL AND STATE LAWS AND REGULATIONS THAT GOVERN THE PROVISION OF AND REIMBURSEMENT PAID FOR MEDICAL SERVICES UNDER THE PROGRAMS ADMINISTERED PURSUANT TO THIS ARTICLE 4 AND ARTICLES 5 AND 6 OF THIS TITLE 25.5;

(C) PROVIDING COORDINATED SERVICES TO HOSPITALS TO HELP THEM ADAPT AND TRANSITION TO ANY NEW OR MODIFIED PERFORMANCE TRACKING AND PAYMENT SYSTEMS FOR THE PROGRAMS ADMINISTERED PURSUANT TO THIS ARTICLE 4 AND ARTICLES 5 AND 6 OF THIS TITLE 25.5, WHICH MAY INCLUDE DATA SHARING, TELEHEALTH COORDINATION AND SUPPORT, ESTABLISHMENT OF PERFORMANCE METRICS, BENCHMARKING TO SUCH METRICS, AND CLINICAL AND ADMINISTRATIVE PROCESS CONSULTING AND OTHER APPROPRIATE SERVICES;

(D) PROVIDING ANY OTHER SERVICES TO HOSPITALS THAT AID THEM IN EFFICIENTLY AND EFFECTIVELY PARTICIPATING IN THE PROGRAMS ADMINISTERED PURSUANT TO THIS ARTICLE 4 AND ARTICLES 5 AND 6 OF THIS TITLE 25.5; AND

(E) PROVIDING FUNDING FOR, AND IN COOPERATION WITH THE STATE DEPARTMENT AND HOSPITALS SUPPORTING THE IMPLEMENTATION OF, A HEALTH CARE DELIVERY SYSTEM REFORM INCENTIVE PAYMENTS PROGRAM AS DESCRIBED IN SUBSECTION (8) OF THIS SECTION.

(b) THE ENTERPRISE SHALL RECOMMEND FOR APPROVAL AND ESTABLISHMENT BY THE STATE BOARD THE AMOUNT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE THAT IT INTENDS TO CHARGE AND COLLECT. THE STATE BOARD MUST ESTABLISH THE FINAL AMOUNT OF THE FEE BY RULES PROMULGATED IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24. THE STATE BOARD SHALL NOT ESTABLISH ANY AMOUNT THAT EXCEEDS THE FEDERAL LIMIT FOR SUCH FEES. THE STATE BOARD MAY DEVIATE FROM THE RECOMMENDATIONS OF THE ENTERPRISE, BUT SHALL EXPRESS IN WRITING THE REASONS FOR ANY DEVIATIONS. IN ESTABLISHING THE AMOUNT OF THE FEE AND IN PROMULGATING THE RULES GOVERNING THE FEE, THE STATE BOARD SHALL:

(I) CONSIDER RECOMMENDATIONS OF THE ENTERPRISE;

(II) ESTABLISH THE AMOUNT OF THE HEALTHCARE AFFORDABILITY

AND SUSTAINABILITY FEE SO THAT THE AMOUNT COLLECTED FROM THE FEE AND FEDERAL MATCHING FUNDS ASSOCIATED WITH THE FEE ARE SUFFICIENT TO PAY FOR THE ITEMS DESCRIBED IN SUBSECTION (4)(a) OF THIS SECTION, BUT NOTHING IN THIS SUBSECTION (4)(b)(II) REQUIRES THE STATE BOARD TO INCREASE THE FEE ABOVE THE AMOUNT RECOMMENDED BY THE ENTERPRISE; AND

(III) FOR THE 2017-18 FISCAL YEAR, ESTABLISH THE AMOUNT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE SO THAT THE AMOUNT COLLECTED FROM THE FEE IS APPROXIMATELY EQUAL TO THE SUM OF THE AMOUNTS OF THE APPROPRIATIONS SPECIFIED FOR THE FEE IN THE GENERAL APPROPRIATION ACT, SENATE BILL 17-254, ENACTED IN 2017, AND ANY OTHER SUPPLEMENTAL APPROPRIATION ACT.

(c) (I) IN ACCORDANCE WITH THE REDISTRIBUTIVE METHOD SET FORTH IN 42 CFR 433.68 (e)(1) AND (e)(2), THE ENTERPRISE, ACTING IN CONCERT WITH OR THROUGH AN AGREEMENT WITH THE STATE DEPARTMENT IF REQUIRED BY FEDERAL LAW, MAY SEEK A WAIVER FROM THE BROAD-BASED HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE REQUIREMENT OR THE UNIFORM HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE REQUIREMENT, OR BOTH. IN ADDITION, THE ENTERPRISE, ACTING IN CONCERT WITH OR THROUGH AN AGREEMENT WITH THE STATE DEPARTMENT IF REQUIRED BY FEDERAL LAW, SHALL SEEK ANY FEDERAL WAIVER NECESSARY TO FUND AND, IN COOPERATION WITH THE STATE DEPARTMENT AND HOSPITALS, SUPPORT THE IMPLEMENTATION OF A HEALTH CARE DELIVERY SYSTEM REFORM INCENTIVE PAYMENTS PROGRAM AS DESCRIBED IN SUBSECTION (8) OF THIS SECTION. SUBJECT TO FEDERAL APPROVAL AND TO MINIMIZE THE FINANCIAL IMPACT ON CERTAIN HOSPITALS, THE ENTERPRISE MAY EXEMPT FROM PAYMENT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE CERTAIN TYPES OF HOSPITALS, INCLUDING BUT NOT LIMITED TO:

(A) PSYCHIATRIC HOSPITALS, AS LICENSED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

(B) HOSPITALS THAT ARE LICENSED AS GENERAL HOSPITALS AND CERTIFIED AS LONG-TERM CARE HOSPITALS BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

(C) CRITICAL ACCESS HOSPITALS THAT ARE LICENSED AS GENERAL HOSPITALS AND ARE CERTIFIED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT UNDER 42 CFR PART 485, SUBPART F;

(D) INPATIENT REHABILITATION FACILITIES; OR

(E) HOSPITALS SPECIFIED FOR EXEMPTION UNDER 42 CFR 433.68 (e).

(II) IN DETERMINING WHETHER A HOSPITAL MAY BE EXCLUDED, THE ENTERPRISE SHALL USE ONE OR MORE OF THE FOLLOWING CRITERIA:

(A) A HOSPITAL THAT IS LOCATED IN A RURAL AREA;

(B) A HOSPITAL WITH WHICH THE STATE DEPARTMENT DOES NOT CONTRACT TO PROVIDE SERVICES UNDER THE STATE MEDICAL ASSISTANCE PROGRAM;

(C) A HOSPITAL WHOSE INCLUSION OR EXCLUSION WOULD NOT SIGNIFICANTLY AFFECT THE NET BENEFIT TO HOSPITALS PAYING THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE; OR

(D) A HOSPITAL THAT MUST BE INCLUDED TO RECEIVE FEDERAL APPROVAL.

(III) THE ENTERPRISE MAY REDUCE THE AMOUNT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE FOR CERTAIN HOSPITALS TO OBTAIN FEDERAL APPROVAL AND TO MINIMIZE THE FINANCIAL IMPACT ON CERTAIN HOSPITALS. IN DETERMINING FOR WHICH HOSPITALS THE ENTERPRISE MAY REDUCE THE AMOUNT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE, THE ENTERPRISE SHALL USE ONE OR MORE OF THE FOLLOWING CRITERIA:

(A) THE HOSPITAL IS A TYPE OF HOSPITAL DESCRIBED IN SUBSECTION (4)(c)(I) OF THIS SECTION;

(B) THE HOSPITAL IS LOCATED IN A RURAL AREA;

(C) THE HOSPITAL SERVES A HIGHER PERCENTAGE THAN THE AVERAGE HOSPITAL OF PERSONS COVERED BY THE STATE MEDICAL ASSISTANCE PROGRAM, MEDICARE, OR COMMERCIAL INSURANCE OR PERSONS ENROLLED IN A MANAGED CARE ORGANIZATION;

(D) THE HOSPITAL DOES NOT CONTRACT WITH THE STATE DEPARTMENT TO PROVIDE SERVICES UNDER THE STATE MEDICAL ASSISTANCE PROGRAM;

(E) IF THE HOSPITAL PAID A REDUCED HEALTHCARE

AFFORDABILITY AND SUSTAINABILITY FEE, THE REDUCED FEE WOULD NOT SIGNIFICANTLY AFFECT THE NET BENEFIT TO HOSPITALS PAYING THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE; OR

(F) THE HOSPITAL IS REQUIRED NOT TO PAY A REDUCED HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AS A CONDITION OF FEDERAL APPROVAL.

(IV) THE ENTERPRISE MAY CHANGE HOW IT PAYS HOSPITAL REIMBURSEMENT OR QUALITY INCENTIVE PAYMENTS, OR BOTH, IN WHOLE OR IN PART, UNDER THE AUTHORITY OF A FEDERAL WAIVER IF THE TOTAL REIMBURSEMENT TO HOSPITALS IS EQUAL TO OR ABOVE THE FEDERAL UPPER PAYMENT LIMIT CALCULATION UNDER THE WAIVER.

(d) THE ENTERPRISE MAY ALTER THE PROCESS PRESCRIBED IN THIS SUBSECTION (4) TO THE EXTENT NECESSARY TO MEET THE FEDERAL REQUIREMENTS AND TO OBTAIN FEDERAL APPROVAL.

(e) (I) THE ENTERPRISE SHALL ESTABLISH POLICIES ON THE CALCULATION, ASSESSMENT, AND TIMING OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE. THE ENTERPRISE SHALL ASSESS THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE ON A SCHEDULE TO BE SET BY THE ENTERPRISE BOARD AS PROVIDED IN SUBSECTION (7)(d) OF THIS SECTION. THE PERIODIC HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE PAYMENTS FROM A HOSPITAL AND THE ENTERPRISE'S REIMBURSEMENT TO THE HOSPITAL UNDER SUBSECTIONS (5)(b)(I) AND (5)(b)(II) OF THIS SECTION ARE DUE AS NEARLY SIMULTANEOUSLY AS FEASIBLE; EXCEPT THAT THE ENTERPRISE'S REIMBURSEMENT TO THE HOSPITAL IS DUE NO MORE THAN TWO DAYS AFTER THE PERIODIC HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE PAYMENT IS RECEIVED FROM THE HOSPITAL. THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE MUST BE IMPOSED ON EACH HOSPITAL EVEN IF MORE THAN ONE HOSPITAL IS OWNED BY THE SAME ENTITY. THE FEE MUST BE PRORATED AND ADJUSTED FOR THE EXPECTED VOLUME OF SERVICE FOR ANY YEAR IN WHICH A HOSPITAL OPENS OR CLOSES.

(II) THE ENTERPRISE IS AUTHORIZED TO REFUND ANY UNUSED PORTION OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE. FOR ANY PORTION OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE THAT HAS BEEN COLLECTED BY THE ENTERPRISE BUT FOR WHICH THE ENTERPRISE HAS NOT RECEIVED FEDERAL MATCHING FUNDS, THE ENTERPRISE SHALL REFUND BACK TO THE HOSPITAL THAT PAID THE FEE THE AMOUNT OF THAT PORTION OF THE FEE WITHIN FIVE BUSINESS DAYS AFTER THE FEE IS COLLECTED.

(III) THE ENTERPRISE SHALL ESTABLISH REQUIREMENTS FOR THE REPORTS THAT HOSPITALS MUST SUBMIT TO THE ENTERPRISE TO ALLOW THE ENTERPRISE TO CALCULATE THE AMOUNT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE. NOTWITHSTANDING THE PROVISIONS OF PART 2 OF ARTICLE 72 OF TITLE 24 OR SUBSECTION (7)(f) OF THIS SECTION, INFORMATION PROVIDED TO THE ENTERPRISE PURSUANT TO THIS SECTION IS CONFIDENTIAL AND IS NOT A PUBLIC RECORD. NONETHELESS, THE ENTERPRISE MAY PREPARE AND RELEASE SUMMARIES OF THE REPORTS TO THE PUBLIC.

(f) A HOSPITAL SHALL NOT INCLUDE ANY AMOUNT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AS A SEPARATE LINE ITEM IN ITS BILLING STATEMENTS.

(g) THE STATE BOARD SHALL PROMULGATE ANY RULES PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, NECESSARY FOR THE ADMINISTRATION AND IMPLEMENTATION OF THIS SECTION. PRIOR TO SUBMITTING ANY PROPOSED RULES CONCERNING THE ADMINISTRATION OR IMPLEMENTATION OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE TO THE STATE BOARD, THE ENTERPRISE SHALL CONSULT WITH THE STATE BOARD ON THE PROPOSED RULES AS SPECIFIED IN SUBSECTION (7)(d) OF THIS SECTION.

(5) **Healthcare affordability and sustainability fee cash fund.**

(a) ANY HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE COLLECTED PURSUANT TO THIS SECTION BY THE ENTERPRISE MUST BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE CASH FUND, WHICH FUND IS HEREBY CREATED AND REFERRED TO IN THIS SECTION AS THE "FUND". THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND. THE STATE TREASURER SHALL INVEST ANY MONEY IN

THE FUND NOT EXPENDED FOR THE PURPOSES SPECIFIED IN SUBSECTION (5)(b) OF THIS SECTION AS PROVIDED BY LAW. MONEY IN THE FUND SHALL NOT BE TRANSFERRED TO ANY OTHER FUND AND SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN THE PURPOSES SPECIFIED IN THIS SUBSECTION (5) AND IN SUBSECTION (4) OF THIS SECTION.

(b) ALL MONEY IN THE FUND IS SUBJECT TO FEDERAL MATCHING AS AUTHORIZED UNDER FEDERAL LAW AND IS CONTINUOUSLY APPROPRIATED TO THE ENTERPRISE FOR THE FOLLOWING PURPOSES:

(I) TO MAXIMIZE THE INPATIENT AND OUTPATIENT HOSPITAL REIMBURSEMENTS TO UP TO THE UPPER PAYMENT LIMITS AS DEFINED IN 42 CFR 447.272 AND 42 CFR 447.321;

(II) TO INCREASE HOSPITAL REIMBURSEMENTS UNDER THE COLORADO INDIGENT CARE PROGRAM TO UP TO ONE HUNDRED PERCENT OF THE HOSPITAL'S COSTS OF PROVIDING MEDICAL CARE UNDER THE PROGRAM;

(III) TO PAY THE QUALITY INCENTIVE PAYMENTS PROVIDED IN SECTION 25.5-4-402 (3);

(IV) SUBJECT TO AVAILABLE REVENUE FROM THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AND FEDERAL MATCHING FUNDS, TO EXPAND ELIGIBILITY FOR PUBLIC MEDICAL ASSISTANCE BY:

(A) INCREASING THE ELIGIBILITY LEVEL FOR PARENTS AND CARETAKER RELATIVES OF CHILDREN WHO ARE ELIGIBLE FOR MEDICAL ASSISTANCE, PURSUANT TO SECTION 25.5-5-201 (1)(m), FROM SIXTY-ONE PERCENT TO ONE HUNDRED THIRTY-THREE PERCENT OF THE FEDERAL POVERTY LINE;

(B) INCREASING THE ELIGIBILITY LEVEL FOR CHILDREN AND PREGNANT WOMEN UNDER THE CHILDREN'S BASIC HEALTH PLAN TO UP TO TWO HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LINE;

(C) PROVIDING ELIGIBILITY UNDER THE STATE MEDICAL ASSISTANCE PROGRAM FOR A CHILDLESS ADULT OR AN ADULT WITHOUT A DEPENDENT CHILD IN THE HOME, PURSUANT TO SECTION 25.5-5-201 (1)(p), WHO EARNS UP TO ONE HUNDRED THIRTY-THREE PERCENT OF THE FEDERAL POVERTY LINE; AND

(D) PROVIDING A BUY-IN PROGRAM IN THE STATE MEDICAL ASSISTANCE PROGRAM FOR DISABLED ADULTS AND CHILDREN WHOSE FAMILIES HAVE INCOME OF UP TO FOUR HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LINE;

(V) TO PROVIDE CONTINUOUS ELIGIBILITY FOR TWELVE MONTHS FOR CHILDREN ENROLLED IN THE STATE MEDICAL ASSISTANCE PROGRAM;

(VI) TO PAY THE ENTERPRISE'S ACTUAL ADMINISTRATIVE COSTS OF IMPLEMENTING AND ADMINISTERING THIS SECTION, INCLUDING BUT NOT LIMITED TO THE FOLLOWING COSTS:

(A) ADMINISTRATIVE EXPENSES OF THE ENTERPRISE;

(B) THE ENTERPRISE'S ACTUAL COSTS RELATED TO IMPLEMENTING AND MAINTAINING THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE, INCLUDING PERSONAL SERVICES, OPERATING, AND CONSULTING EXPENSES;

(C) THE ENTERPRISE'S ACTUAL COSTS FOR THE CHANGES AND UPDATES TO THE MEDICAID MANAGEMENT INFORMATION SYSTEM FOR THE IMPLEMENTATION OF SUBSECTIONS (5)(b)(I) TO (5)(b)(III) OF THIS SECTION;

(D) THE ENTERPRISE'S PERSONAL SERVICES AND OPERATING COSTS RELATED TO PERSONNEL, CONSULTING SERVICES, AND FOR REVIEW OF HOSPITAL COSTS NECESSARY TO IMPLEMENT AND ADMINISTER THE INCREASES IN INPATIENT AND OUTPATIENT HOSPITAL PAYMENTS MADE PURSUANT TO SUBSECTION (5)(b)(I) OF THIS SECTION, INCREASES IN THE COLORADO INDIGENT CARE PROGRAM PAYMENTS MADE PURSUANT TO SUBSECTION (5)(b)(II) OF THIS SECTION, AND QUALITY INCENTIVE PAYMENTS MADE PURSUANT TO SUBSECTION (5)(b)(III) OF THIS SECTION;

(E) THE ENTERPRISE'S ACTUAL COSTS FOR THE CHANGES AND UPDATES TO THE COLORADO BENEFITS MANAGEMENT SYSTEM AND MEDICAID MANAGEMENT INFORMATION SYSTEM TO IMPLEMENT AND MAINTAIN THE EXPANDED ELIGIBILITY PROVIDED FOR IN SUBSECTIONS (5)(b)(IV) AND (5)(b)(V) OF THIS SECTION;

(F) THE ENTERPRISE'S PERSONAL SERVICES AND OPERATING COSTS RELATED TO PERSONNEL NECESSARY TO IMPLEMENT AND ADMINISTER THE EXPANDED ELIGIBILITY FOR PUBLIC MEDICAL ASSISTANCE PROVIDED FOR IN SUBSECTIONS (5)(b)(IV) AND (5)(b)(V) OF THIS SECTION, INCLUDING BUT NOT LIMITED TO ADMINISTRATIVE COSTS ASSOCIATED WITH THE

DETERMINATION OF ELIGIBILITY FOR PUBLIC MEDICAL ASSISTANCE BY COUNTY DEPARTMENTS; AND

(G) THE ENTERPRISE'S PERSONAL SERVICES, OPERATING, AND SYSTEMS COSTS RELATED TO EXPANDING THE OPPORTUNITY FOR INDIVIDUALS TO APPLY FOR PUBLIC MEDICAL ASSISTANCE DIRECTLY AT HOSPITALS OR THROUGH ANOTHER ENTITY OUTSIDE THE COUNTY DEPARTMENTS, IN CONNECTION WITH SECTION 25.5-4-205, THAT WOULD INCREASE ACCESS TO PUBLIC MEDICAL ASSISTANCE AND REDUCE THE NUMBER OF UNINSURED SERVED BY HOSPITALS;

(VII) TO OFFSET THE LOSS OF ANY FEDERAL MATCHING MONEY DUE TO A DECREASE IN THE CERTIFICATION OF THE PUBLIC EXPENDITURE PROCESS FOR OUTPATIENT HOSPITAL SERVICES FOR MEDICAL SERVICES PREMIUMS THAT WERE IN EFFECT AS OF JULY 1, 2008;

(VIII) SUBJECT TO ANY NECESSARY FEDERAL WAIVERS BEING OBTAINED, TO PROVIDE FUNDING FOR A HEALTH CARE DELIVERY SYSTEM REFORM INCENTIVE PAYMENTS PROGRAM AS DESCRIBED IN SUBSECTION (8) OF THIS SECTION; AND

(IX) TO PROVIDE ADDITIONAL BUSINESS SERVICES TO HOSPITALS AS SPECIFIED IN SUBSECTION (4)(a)(IV) OF THIS SECTION.

(6) **Appropriations.** (a) (I) THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE IS TO SUPPLEMENT, NOT SUPPLANT, GENERAL FUND APPROPRIATIONS TO SUPPORT HOSPITAL REIMBURSEMENTS. GENERAL FUND APPROPRIATIONS FOR HOSPITAL REIMBURSEMENTS SHALL BE MAINTAINED AT THE LEVEL OF APPROPRIATIONS IN THE MEDICAL SERVICES PREMIUM LINE ITEM MADE FOR THE FISCAL YEAR COMMENCING JULY 1, 2008; EXCEPT THAT GENERAL FUND APPROPRIATIONS FOR HOSPITAL REIMBURSEMENTS MAY BE REDUCED IF AN INDEX OF APPROPRIATIONS TO OTHER PROVIDERS SHOWS THAT GENERAL FUND APPROPRIATIONS ARE REDUCED FOR OTHER PROVIDERS. IF THE INDEX SHOWS THAT GENERAL FUND APPROPRIATIONS ARE REDUCED FOR OTHER PROVIDERS, THE GENERAL FUND APPROPRIATIONS FOR HOSPITAL REIMBURSEMENTS SHALL NOT BE REDUCED BY A GREATER PERCENTAGE THAN THE REDUCTIONS OF APPROPRIATIONS FOR THE OTHER PROVIDERS AS SHOWN BY THE INDEX.

(II) IF GENERAL FUND APPROPRIATIONS FOR HOSPITAL REIMBURSEMENTS ARE REDUCED BELOW THE LEVEL OF APPROPRIATIONS IN THE MEDICAL SERVICES PREMIUM LINE ITEM MADE FOR THE FISCAL YEAR COMMENCING JULY 1, 2008, THE GENERAL FUND APPROPRIATIONS WILL BE INCREASED BACK TO THE LEVEL OF APPROPRIATIONS IN THE MEDICAL SERVICES PREMIUM LINE ITEM MADE FOR THE FISCAL YEAR COMMENCING JULY 1, 2008, AT THE SAME PERCENTAGE AS THE APPROPRIATIONS FOR OTHER PROVIDERS AS SHOWN BY THE INDEX. THE GENERAL ASSEMBLY IS NOT OBLIGATED TO INCREASE THE GENERAL FUND APPROPRIATIONS BACK TO THE LEVEL OF APPROPRIATIONS IN THE MEDICAL SERVICES PREMIUM LINE ITEM IN A SINGLE FISCAL YEAR AND SUCH INCREASES MAY OCCUR OVER NONCONSECUTIVE FISCAL YEARS.

(III) FOR PURPOSES OF THIS SUBSECTION (6)(a), THE "INDEX OF APPROPRIATIONS TO OTHER PROVIDERS" OR "INDEX" MEANS THE AVERAGE PERCENT CHANGE IN REIMBURSEMENT RATES THROUGH APPROPRIATIONS OR LEGISLATION ENACTED BY THE GENERAL ASSEMBLY TO HOME HEALTH PROVIDERS, PHYSICIAN SERVICES, AND OUTPATIENT PHARMACIES, EXCLUDING DISPENSING FEES. THE STATE BOARD, AFTER CONSULTATION WITH THE ENTERPRISE BOARD, IS AUTHORIZED TO CLARIFY THIS DEFINITION AS NECESSARY BY RULE.

(b) IF THE REVENUE FROM THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE IS INSUFFICIENT TO FULLY FUND ALL OF THE PURPOSES DESCRIBED IN SUBSECTION (5)(b) OF THIS SECTION:

(I) THE GENERAL ASSEMBLY IS NOT OBLIGATED TO APPROPRIATE GENERAL FUND REVENUES TO FUND SUCH PURPOSES;

(II) THE HOSPITAL PROVIDER REIMBURSEMENT AND QUALITY INCENTIVE PAYMENT INCREASES DESCRIBED IN SUBSECTIONS (5)(b)(I) TO (5)(b)(III) OF THIS SECTION AND THE COSTS DESCRIBED IN SUBSECTION (5)(b)(VI) OF THIS SECTION SHALL BE FULLY FUNDED USING REVENUE FROM THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AND FEDERAL MATCHING FUNDS BEFORE ANY ELIGIBILITY EXPANSION IS FUNDED; AND

(III) (A) IF THE STATE BOARD PROMULGATES RULES THAT EXPAND ELIGIBILITY FOR MEDICAL ASSISTANCE TO BE PAID FOR PURSUANT TO SUBSECTION (5)(b)(IV) OF THIS SECTION, AND THE STATE DEPARTMENT

THEREAFTER NOTIFIES THE ENTERPRISE BOARD THAT THE REVENUE AVAILABLE FROM THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AND THE FEDERAL MATCHING FUNDS WILL NOT BE SUFFICIENT TO PAY FOR ALL OR PART OF THE EXPANDED ELIGIBILITY, THE ENTERPRISE BOARD SHALL RECOMMEND TO THE STATE BOARD REDUCTIONS IN MEDICAL BENEFITS OR ELIGIBILITY SO THAT THE REVENUE WILL BE SUFFICIENT TO PAY FOR ALL OF THE REDUCED BENEFITS OR ELIGIBILITY. AFTER RECEIVING THE RECOMMENDATIONS OF THE ENTERPRISE BOARD, THE STATE BOARD SHALL ADOPT RULES PROVIDING FOR REDUCED BENEFITS OR REDUCED ELIGIBILITY FOR WHICH THE REVENUE WILL BE SUFFICIENT AND SHALL FORWARD ANY ADOPTED RULES TO THE JOINT BUDGET COMMITTEE. NOTWITHSTANDING THE PROVISIONS OF SECTION 24-4-103 (8) AND (12), FOLLOWING THE ADOPTION OF RULES PURSUANT TO THIS SUBSECTION (6)(b)(III)(A), THE STATE BOARD SHALL NOT SUBMIT THE RULES TO THE ATTORNEY GENERAL AND SHALL NOT FILE THE RULES WITH THE SECRETARY OF STATE UNTIL THE JOINT BUDGET COMMITTEE APPROVES THE RULES PURSUANT TO SUBSECTION (6)(b)(III)(B) OF THIS SECTION.

(B) THE JOINT BUDGET COMMITTEE SHALL PROMPTLY CONSIDER ANY RULES ADOPTED BY THE STATE BOARD PURSUANT TO SUBSECTION (6)(b)(III)(A) OF THIS SECTION. THE JOINT BUDGET COMMITTEE SHALL PROMPTLY NOTIFY THE STATE DEPARTMENT, THE STATE BOARD, AND THE ENTERPRISE BOARD OF ANY ACTION ON THE RULES. IF THE JOINT BUDGET COMMITTEE DOES NOT APPROVE THE RULES, THE JOINT BUDGET COMMITTEE SHALL RECOMMEND A REDUCTION IN BENEFITS OR ELIGIBILITY SO THAT THE REVENUE FROM THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AND THE MATCHING FEDERAL FUNDS WILL BE SUFFICIENT TO PAY FOR THE REDUCED BENEFITS OR ELIGIBILITY. AFTER APPROVING THE RULES PURSUANT TO THIS SUBSECTION (6)(b)(III)(B), THE JOINT BUDGET COMMITTEE SHALL REQUEST THAT THE COMMITTEE ON LEGAL SERVICES, CREATED PURSUANT TO SECTION 2-3-501, EXTEND THE RULES AS PROVIDED FOR IN SECTION 24-4-103 (8) UNLESS THE COMMITTEE ON LEGAL SERVICES FINDS AFTER REVIEW THAT THE RULES DO NOT CONFORM WITH SECTION 24-4-103 (8)(a).

(C) AFTER THE STATE BOARD HAS RECEIVED NOTIFICATION OF THE APPROVAL OF RULES ADOPTED PURSUANT TO SUBSECTION (6)(b)(III)(A) OF THIS SECTION, THE STATE BOARD SHALL SUBMIT THE RULES TO THE ATTORNEY GENERAL PURSUANT TO SECTION 24-4-103 (8)(b) AND SHALL FILE THE RULES AND THE OPINION OF THE ATTORNEY GENERAL WITH THE SECRETARY OF STATE PURSUANT TO SECTION 24-4-103 (12) AND WITH THE OFFICE OF LEGISLATIVE LEGAL SERVICES. PURSUANT TO SECTION 24-4-103 (5), THE RULES ARE EFFECTIVE TWENTY DAYS AFTER PUBLICATION OF THE RULES AND ARE ONLY EFFECTIVE UNTIL THE FOLLOWING MAY 15 UNLESS THE RULES ARE EXTENDED PURSUANT TO A BILL ENACTED PURSUANT TO SECTION 24-4-103 (8).

(c) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, IF, AFTER RECEIPT OF AUTHORIZATION TO RECEIVE FEDERAL MATCHING FUNDS FOR MONEY IN THE FUND, THE AUTHORIZATION IS WITHDRAWN OR CHANGED SO THAT FEDERAL MATCHING FUNDS ARE NO LONGER AVAILABLE, THE ENTERPRISE SHALL CEASE COLLECTING THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AND SHALL REPAY TO THE HOSPITALS ANY MONEY RECEIVED BY THE FUND THAT IS NOT SUBJECT TO FEDERAL MATCHING FUNDS.

(7) **Colorado healthcare affordability and sustainability enterprise board.** (a) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (7)(a)(II) OF THIS SECTION, THE ENTERPRISE BOARD CONSISTS OF THIRTEEN MEMBERS APPOINTED BY THE GOVERNOR, WITH THE ADVICE AND CONSENT OF THE SENATE, AS FOLLOWS:

(A) FIVE MEMBERS WHO ARE EMPLOYED BY HOSPITALS IN COLORADO, INCLUDING AT LEAST ONE PERSON WHO IS EMPLOYED BY A HOSPITAL IN A RURAL AREA, ONE PERSON WHO IS EMPLOYED BY A SAFETY-NET HOSPITAL FOR WHICH THE PERCENT OF MEDICAID-ELIGIBLE INPATIENT DAYS RELATIVE TO ITS TOTAL INPATIENT DAYS IS EQUAL TO OR GREATER THAN ONE STANDARD DEVIATION ABOVE THE MEAN, AND ONE PERSON WHO IS EMPLOYED BY A HOSPITAL IN AN URBAN AREA;

(B) ONE MEMBER WHO IS A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF HOSPITALS;

(C) ONE MEMBER WHO REPRESENTS A STATEWIDE ORGANIZATION OF HEALTH INSURANCE CARRIERS OR A HEALTH INSURANCE CARRIER

LICENSED PURSUANT TO TITLE 10 AND WHO IS NOT A REPRESENTATIVE OF A HOSPITAL;

(D) ONE MEMBER OF THE HEALTH CARE INDUSTRY WHO DOES NOT REPRESENT A HOSPITAL OR A HEALTH INSURANCE CARRIER;

(E) ONE MEMBER WHO IS A CONSUMER OF HEALTH CARE AND WHO IS NOT A REPRESENTATIVE OR AN EMPLOYEE OF A HOSPITAL, HEALTH INSURANCE CARRIER, OR OTHER HEALTH CARE INDUSTRY ENTITY;

(F) ONE MEMBER WHO IS A REPRESENTATIVE OF PERSONS WITH DISABILITIES, WHO IS LIVING WITH A DISABILITY, AND WHO IS NOT A REPRESENTATIVE OR AN EMPLOYEE OF A HOSPITAL, HEALTH INSURANCE CARRIER, OR OTHER HEALTH CARE INDUSTRY ENTITY;

(G) ONE MEMBER WHO IS A REPRESENTATIVE OF A BUSINESS THAT PURCHASES OR OTHERWISE PROVIDES HEALTH INSURANCE FOR ITS EMPLOYEES; AND

(H) TWO EMPLOYEES OF THE STATE DEPARTMENT.

(II) THE INITIAL MEMBERS OF THE ENTERPRISE BOARD ARE THE MEMBERS OF THE HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD THAT WAS CREATED AND EXISTED PURSUANT TO SECTION 25.5-4-402.3 (6), PRIOR TO JULY 1, 2017, AND SUCH MEMBERS SHALL SERVE ON AND AFTER JULY 1, 2017, FOR THE REMAINDER OF THE TERMS FOR WHICH THEY WERE APPOINTED AS MEMBERS OF THE ADVISORY BOARD. THE POWERS, DUTIES, AND FUNCTIONS OF THE HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD ARE TRANSFERRED BY A **TYPE 3** TRANSFER, AS DEFINED IN SECTION 24-1-105, TO THE ENTERPRISE, AND THE HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD IS ABOLISHED.

(III) THE GOVERNOR SHALL CONSULT WITH REPRESENTATIVES OF A STATEWIDE ORGANIZATION OF HOSPITALS IN MAKING THE APPOINTMENTS PURSUANT TO SUBSECTIONS (7)(a)(I)(A) AND (7)(a)(I)(B) OF THIS SECTION. NO MORE THAN SIX MEMBERS OF THE ENTERPRISE BOARD MAY BE MEMBERS OF THE SAME POLITICAL PARTY.

(IV) MEMBERS OF THE ENTERPRISE BOARD SERVE AT THE PLEASURE OF THE GOVERNOR. ALL TERMS ARE FOR FOUR YEARS. A MEMBER WHO IS APPOINTED TO FILL A VACANCY SHALL SERVE THE REMAINDER OF THE UNEXPIRED TERM OF THE FORMER MEMBER.

(V) THE GOVERNOR SHALL DESIGNATE A CHAIR FROM AMONG THE MEMBERS OF THE ENTERPRISE BOARD APPOINTED PURSUANT TO SUBSECTIONS (7)(a)(I)(A) TO (7)(a)(I)(G) OF THIS SECTION. THE ENTERPRISE BOARD SHALL ELECT A VICE-CHAIR FROM AMONG ITS MEMBERS.

(b) MEMBERS OF THE ENTERPRISE BOARD SERVE WITHOUT COMPENSATION BUT MUST BE REIMBURSED FROM MONEY IN THE FUND FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS SECTION.

(c) THE ENTERPRISE BOARD MAY CONTRACT FOR A GROUP FACILITATOR TO ASSIST THE MEMBERS OF THE ENTERPRISE BOARD IN PERFORMING THEIR REQUIRED DUTIES.

(d) THE ENTERPRISE BOARD HAS, AT A MINIMUM, THE FOLLOWING DUTIES:

(I) TO DETERMINE THE TIMING AND METHOD BY WHICH THE ENTERPRISE ASSESSES THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AND THE AMOUNT OF THE FEE;

(II) IF REQUESTED BY THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE OR THE PUBLIC HEALTH CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, TO CONSULT WITH THE COMMITTEES ON ANY LEGISLATION THAT MAY IMPACT THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE OR HOSPITAL REIMBURSEMENTS ESTABLISHED PURSUANT TO THIS SECTION;

(III) TO DETERMINE CHANGES IN THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE THAT INCREASE THE NUMBER OF HOSPITALS BENEFITTING FROM THE USES OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE DESCRIBED IN SUBSECTIONS (5)(b)(I) TO (5)(b)(IV) OF THIS SECTION OR THAT MINIMIZE THE NUMBER OF HOSPITALS THAT SUFFER LOSSES AS A RESULT OF PAYING THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE;

(IV) TO RECOMMEND TO THE STATE DEPARTMENT REFORMS OR CHANGES TO THE INPATIENT HOSPITAL AND OUTPATIENT HOSPITAL REIMBURSEMENTS AND QUALITY INCENTIVE PAYMENTS MADE UNDER THE

STATE MEDICAL ASSISTANCE PROGRAM TO INCREASE PROVIDER ACCOUNTABILITY, PERFORMANCE, AND REPORTING;

(V) TO DIRECT AND OVERSEE THE ENTERPRISE IN SEEKING, IN CONCERT WITH OR THROUGH AN AGREEMENT WITH THE STATE DEPARTMENT IF REQUIRED BY FEDERAL LAW, ANY FEDERAL WAIVER NECESSARY TO FUND AND, IN COOPERATION WITH THE STATE DEPARTMENT AND HOSPITALS, SUPPORT THE IMPLEMENTATION OF A HEALTH CARE DELIVERY SYSTEM REFORM INCENTIVE PAYMENTS PROGRAM AS DESCRIBED IN SUBSECTION (8) OF THIS SECTION;

(VI) TO RECOMMEND TO THE STATE DEPARTMENT THE SCHEDULE AND APPROACH TO THE IMPLEMENTATION OF SUBSECTIONS (5)(b)(IV) AND (5)(b)(V) OF THIS SECTION;

(VII) IF MONEY IN THE FUND IS INSUFFICIENT TO FULLY FUND ALL OF THE PURPOSES SPECIFIED IN SUBSECTION (5)(b) OF THIS SECTION, TO RECOMMEND TO THE STATE BOARD CHANGES TO THE EXPANDED ELIGIBILITY PROVISIONS DESCRIBED IN SUBSECTION (5)(b)(IV) OF THIS SECTION;

(VIII) TO PREPARE THE REPORTS SPECIFIED IN SUBSECTION (7)(e) OF THIS SECTION;

(IX) TO MONITOR THE IMPACT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE ON THE BROADER HEALTH CARE MARKETPLACE;

(X) TO ESTABLISH REQUIREMENTS FOR THE REPORTS THAT HOSPITALS MUST SUBMIT TO THE ENTERPRISE TO ALLOW THE ENTERPRISE TO CALCULATE THE AMOUNT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE; AND

(XI) TO PERFORM ANY OTHER DUTIES REQUIRED TO FULFILL THE ENTERPRISE BOARD'S CHARGE OR THOSE ASSIGNED TO IT BY THE STATE BOARD OR THE EXECUTIVE DIRECTOR.

(e) ON OR BEFORE JANUARY 15, 2018, AND ON OR BEFORE JANUARY 15 EACH YEAR THEREAFTER, THE ENTERPRISE BOARD SHALL SUBMIT A WRITTEN REPORT TO THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE AND THE PUBLIC HEALTH CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY, THE GOVERNOR, AND THE STATE BOARD. THE REPORT SHALL INCLUDE, BUT NEED NOT BE LIMITED TO:

(I) THE RECOMMENDATIONS MADE TO THE STATE BOARD PURSUANT TO THIS SECTION;

(II) A DESCRIPTION OF THE FORMULA FOR HOW THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE IS CALCULATED AND THE PROCESS BY WHICH THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE IS ASSESSED AND COLLECTED;

(III) AN ITEMIZATION OF THE TOTAL AMOUNT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE PAID BY EACH HOSPITAL AND ANY PROJECTED REVENUE THAT EACH HOSPITAL IS EXPECTED TO RECEIVE DUE TO:

(A) THE INCREASED REIMBURSEMENTS MADE PURSUANT TO SUBSECTIONS (5)(b)(I) AND (5)(b)(II) OF THIS SECTION AND THE QUALITY INCENTIVE PAYMENTS MADE PURSUANT TO SUBSECTION (5)(b)(III) OF THIS SECTION; AND

(B) THE INCREASED ELIGIBILITY DESCRIBED IN SUBSECTIONS (5)(b)(IV) AND (5)(b)(V) OF THIS SECTION;

(IV) AN ITEMIZATION OF THE COSTS INCURRED BY THE ENTERPRISE IN IMPLEMENTING AND ADMINISTERING THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE;

(V) ESTIMATES OF THE DIFFERENCES BETWEEN THE COST OF CARE PROVIDED AND THE PAYMENT RECEIVED BY HOSPITALS ON A PER-PATIENT BASIS, AGGREGATED FOR ALL HOSPITALS, FOR PATIENTS COVERED BY EACH OF THE FOLLOWING:

(A) MEDICAID;

(B) MEDICARE; AND

(C) ALL OTHER PAYERS; AND

(VI) A SUMMARY OF:

(A) THE EFFORTS MADE BY THE ENTERPRISE, ACTING IN CONCERT WITH OR THROUGH AN AGREEMENT WITH THE STATE DEPARTMENT IF REQUIRED BY FEDERAL LAW, TO SEEK ANY FEDERAL WAIVER NECESSARY TO FUND AND, IN COOPERATION WITH THE STATE DEPARTMENT AND HOSPITALS, SUPPORT THE IMPLEMENTATION OF A HEALTH CARE DELIVERY

SYSTEM REFORM INCENTIVE PAYMENTS PROGRAM AS DESCRIBED IN SUBSECTION (8) OF THIS SECTION; AND

(B) THE PROGRESS ACTUALLY MADE BY THE ENTERPRISE, IN COOPERATION WITH THE STATE DEPARTMENT AND HOSPITALS, TOWARDS THE GOAL OF IMPLEMENTING SUCH A PROGRAM.

(f) (I) THE ENTERPRISE IS SUBJECT TO THE OPEN MEETINGS PROVISIONS OF THE "COLORADO SUNSHINE ACT OF 1972", CONTAINED IN PART 4 OF ARTICLE 6 OF TITLE 24, AND THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24.

(II) FOR PURPOSES OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24, AND EXCEPT AS MAY OTHERWISE BE PROVIDED BY FEDERAL LAW OR REGULATION OR STATE LAW, THE RECORDS OF THE ENTERPRISE ARE PUBLIC RECORDS, AS DEFINED IN SECTION 24-72-202 (6), REGARDLESS OF WHETHER THE ENTERPRISE RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL REVENUES IN GRANTS, AS DEFINED IN SECTION 24-77-102 (7), FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS COMBINED.

(III) THE ENTERPRISE IS A PUBLIC ENTITY FOR PURPOSES OF PART 2 OF ARTICLE 57 OF TITLE 11.

(8) **Health care delivery system reform incentive payments program - funding and implementation.** THE ENTERPRISE, ACTING IN CONCERT WITH OR THROUGH AN AGREEMENT WITH THE STATE DEPARTMENT IF REQUIRED BY FEDERAL LAW, SHALL SEEK ANY FEDERAL WAIVER NECESSARY TO FUND AND, IN COOPERATION WITH THE STATE DEPARTMENT AND HOSPITALS, SUPPORT THE IMPLEMENTATION, NO EARLIER THAN OCTOBER 1, 2019, OF A HEALTH CARE DELIVERY SYSTEM REFORM INCENTIVE PAYMENTS PROGRAM THAT WILL IMPROVE HEALTH CARE ACCESS AND OUTCOMES FOR INDIVIDUALS SERVED BY THE STATE DEPARTMENT WHILE EFFICIENTLY UTILIZING AVAILABLE FINANCIAL RESOURCES. SUCH A PROGRAM MUST, AT A MINIMUM:

(a) INCLUDE AN INITIAL PLANNING PHASE TO:

(I) ASSESS NEEDS; AND

(II) DEVELOP ACHIEVABLE OUTCOME-BASED METRICS TO BE USED TO MEASURE PROGRESS TOWARDS PROGRAM GOALS, INCLUDING THE GOALS OF HEALTH CARE DELIVERY SYSTEM INTEGRATION, IMPROVED PATIENT OUTCOMES, AND MORE EFFICIENT PROVISION OF CARE; AND

(b) ADDRESS THE FOLLOWING FOCUS AREAS:

(I) CARE COORDINATION AND CARE TRANSITION MANAGEMENT;

(II) INTEGRATION OF PHYSICAL AND BEHAVIORAL HEALTH CARE SERVICES;

(III) CHRONIC CONDITION MANAGEMENT;

(IV) TARGETED POPULATION HEALTH; AND

(V) DATA-DRIVEN ACCOUNTABILITY AND OUTCOME MEASUREMENT.

SECTION 18. In Colorado Revised Statutes, **add** 25.5-4-402.7 as follows:

25.5-4-402.7. Unexpended hospital provider fee cash fund - creation - transfer from hospital provider fee cash fund - use of fund - repeal. (1) THE UNEXPENDED HOSPITAL PROVIDER FEE CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY. ON JUNE 30, 2017, THE STATE TREASURER SHALL TRANSFER TO THE FUND ALL MONEY IN THE HOSPITAL PROVIDER FEE CASH FUND CREATED IN SECTION 25.5-4-402.3 (4)(a), AS THAT SECTION EXISTED BEFORE ITS REPEAL BY SENATE BILL 17-267, ENACTED IN 2017. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND. MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE STATE DEPARTMENT THROUGH OCTOBER 30, 2018, FOR THE PURPOSE OF PAYING CLAIMS INCURRED BEFORE JULY 1, 2017, THAT WERE PAYABLE PURSUANT TO SECTION 25.5-5-402.3 (4), AS THAT SECTION EXISTED BEFORE ITS REPEAL BY SENATE BILL 17-267, ENACTED IN 2017. THE STATE DEPARTMENT SHALL REFUND ANY MONEY IN THE FUND DERIVED FROM HOSPITAL PROVIDER FEES THAT IS NOT EXPENDED FOR THE PURPOSE OF PAYING CLAIMS TO THE HOSPITALS THAT PAID THE FEES.

(2) THIS SECTION IS REPEALED, EFFECTIVE NOVEMBER 1, 2018.

SECTION 19. In Colorado Revised Statutes, 25.5-5-201, **amend** (1)(o)(II) and (1)(r)(II) as follows:

25.5-5-201. Optional provisions - optional groups - repeal.

(1) The federal government allows the state to select optional groups to receive medical assistance. Pursuant to federal law, any person who is eligible for medical assistance under the optional groups specified in this section shall receive both the mandatory services specified in sections 25.5-5-102 and 25.5-5-103 and the optional services specified in sections 25.5-5-202 and 25.5-5-203. Subject to the availability of federal financial aid funds, the following are the individuals or groups that Colorado has selected as optional groups to receive medical assistance pursuant to this article and articles 4 and 6 of this ~~title~~ TITLE 25.5:

(o) (II) Notwithstanding the provisions of ~~subparagraph (I) of this paragraph (o),~~ SUBSECTION (1)(o)(I) OF THIS SECTION, if the ~~moneys~~ MONEY in the ~~hospital provider~~ HEALTHCARE AFFORDABILITY AND SUSTAINABILITY fee cash fund established pursuant to ~~section 25.5-4-402.3 (4)~~ SECTION 25.5-4-402.4, together with the corresponding federal matching funds, ~~are~~ IS insufficient to fully fund all of the purposes described in ~~section 25.5-4-402.3 (4) (b)~~ SECTION 25.5-4-402.4 (5)(b), after receiving recommendations from the ~~hospital provider fee oversight and advisory board~~ COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE established pursuant to ~~section 25.5-4-402.3 (6)~~ SECTION 25.5-4-402.4 (3), for individuals with disabilities who are participating in the medicaid buy-in program established in part 14 of article 6 of this ~~title~~ TITLE 25.5, the state board by rule adopted pursuant to the provisions of ~~section 25.5-4-402.3 (5) (b) (III)~~ SECTION 25.5-4-402.4 (6)(b)(III) may reduce the medical benefits offered or the percentage of the federal poverty line to below four hundred fifty percent or may eliminate this eligibility group.

(r) (II) Notwithstanding the provisions of ~~subparagraph (I) of this paragraph (r),~~ SUBSECTION (1)(r)(I) OF THIS SECTION, if the ~~moneys~~ MONEY in the ~~hospital provider~~ HEALTHCARE AFFORDABILITY AND SUSTAINABILITY fee cash fund established pursuant to ~~section 25.5-4-402.3 (4)~~ SECTION 25.5-4-402.4, together with the corresponding federal matching funds, ~~are~~ IS insufficient to fully fund all of the purposes described in ~~section 25.5-4-402.3 (4) (b)~~ SECTION 25.5-4-402.4 (5)(b), after receiving recommendations from the ~~hospital provider fee oversight and advisory board~~ COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE established pursuant to ~~section 25.5-4-402.3 (6)~~ SECTION 25.5-4-402.4 (3), for persons eligible for a medicaid buy-in program established pursuant to section 25.5-5-206, the state board by rule adopted pursuant to the provisions of ~~section 25.5-4-402.3 (5) (b) (III)~~ SECTION 25.5-4-402.4 (6)(b)(III) may reduce the medical benefits offered, or the percentage of the federal poverty line, or may eliminate this eligibility group.

SECTION 20. In Colorado Revised Statutes, 25.5-5-204.5, **amend** (2) as follows:

25.5-5-204.5. Continuous eligibility - children - repeal. (2) Notwithstanding the provisions of subsection (1) of this section, if the ~~moneys~~ MONEY in the ~~hospital provider~~ HEALTHCARE AFFORDABILITY AND SUSTAINABILITY fee cash fund established pursuant to ~~section 25.5-4-402.3 (4)~~ SECTION 25.5-4-402.4, together with the corresponding federal matching funds, ~~are~~ IS insufficient to fully fund all of the purposes described in ~~section 25.5-4-402.3 (4) (b)~~ SECTION 25.5-4-402.4 (5)(b), after receiving recommendations from the ~~hospital provider fee oversight and advisory board~~ COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE established pursuant to ~~section 25.5-4-402.3 (6)~~ SECTION 25.5-4-402.4 (3), the state board by rule adopted pursuant to the provisions of ~~section 25.5-4-402.3 (5) (b) (III)~~ SECTION 25.5-4-402.4 (6)(b)(III) may eliminate the continuous enrollment requirement pursuant to this section.

SECTION 21. In Colorado Revised Statutes, **add** 25.5-5-419 as follows:

25.5-5-419. Advancing care for exceptional kids. WITHIN ONE HUNDRED TWENTY DAYS OF THE ENACTMENT OF THE FEDERAL "ADVANCING CARE FOR EXCEPTIONAL KIDS ACT", SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE DEPARTMENT SHALL SEEK ANY FEDERAL APPROVAL NECESSARY TO FUND, IN COOPERATION WITH HOSPITALS THAT MEET THE SPECIFIED REQUIREMENTS, THE IMPLEMENTATION OF AN ENHANCED PEDIATRIC HEALTH HOME FOR CHILDREN WITH COMPLEX MEDICAL CONDITIONS. REQUIREMENTS FOR PARTICIPATION BY THE STATE DEPARTMENT, ALONG WITH THE

REQUIREMENT OF AN ENHANCED PEDIATRIC HEALTH HOME, ARE STIPULATED BY THE "ADVANCING CARE FOR EXCEPTIONAL KIDS ACT" AND SHALL BE COMPLIED WITH ACCORDINGLY.

SECTION 22. In Colorado Revised Statutes, 25.5-8-103, **amend** the introductory portion, (4)(a)(II), and (4)(b)(II) as follows:

25.5-8-103. Definitions - repeal. As used in this ~~article~~ ARTICLE 8, unless the context otherwise requires:

(4) "Eligible person" means:

(a) (II) Notwithstanding the provisions of ~~subparagraph (I) of this paragraph (a),~~ SUBSECTION (4)(a)(I) OF THIS SECTION, if the ~~moneys~~ MONEY in the ~~hospital provider~~ HEALTHCARE AFFORDABILITY AND SUSTAINABILITY fee cash fund established pursuant to ~~section 25.5-4-402.3 (4)~~ SECTION 25.5-4-402.4 (5), together with the corresponding federal matching funds, ~~are~~ IS insufficient to fully fund all of the purposes described in ~~section 25.5-4-402.3 (4) (b)~~ SECTION 25.5-4-402.4 (5)(b), after receiving recommendations from the ~~hospital provider fee oversight and advisory board~~ COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE established pursuant to ~~section 25.5-4-402.3 (6)~~ SECTION 25.5-4-402.4 (3), for persons less than nineteen years of age, the state board may by rule adopted pursuant to the provisions of ~~section 25.5-4-402.3 (5) (b) (III)~~ SECTION 25.5-4-402.4 (6)(b)(III) reduce the percentage of the federal poverty line to below two hundred fifty percent, but the percentage shall not be reduced to below two hundred five percent.

(b) (II) Notwithstanding the provisions of ~~subparagraph (I) of this paragraph (b)~~ SUBSECTION (4)(b)(I) OF THIS SECTION, if the ~~moneys~~ MONEY in the ~~hospital provider~~ HEALTHCARE AFFORDABILITY AND SUSTAINABILITY fee cash fund established pursuant to ~~section 25.5-4-402.3 (4)~~ SECTION 25.5-4-402.4 (5), together with the corresponding federal matching funds, ~~are~~ IS insufficient to fully fund all of the purposes described in ~~section 25.5-4-402.3 (4) (b)~~ SECTION 25.5-4-402.4 (5)(b), after receiving recommendations from the ~~hospital provider fee oversight and advisory board~~ COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE established pursuant to ~~section 25.5-4-402.3 (6)~~ SECTION 25.5-4-402.4 (3), for pregnant women, the state board by rule adopted pursuant to the provisions of ~~section 25.5-4-402.3 (5) (b) (III)~~ SECTION 25.5-4-402.4 (6)(b)(III) may reduce the percentage of the federal poverty line to below two hundred fifty percent, but the percentage shall not be reduced to below two hundred five percent.

SECTION 23. In Colorado Revised Statutes, 29-2-105, **amend** (1) introductory portion and (1)(d)(I) introductory portion; and **add** (1)(d)(I)(O) as follows:

29-2-105. Contents of sales tax ordinances and proposals - repeal. (1) The sales tax ordinance or proposal of any incorporated town, city, or county adopted pursuant to this article shall be imposed on the sale of tangible personal property at retail or the furnishing of services, as provided in ~~paragraph (d) of this subsection (1)~~ SUBSECTION (1)(d) OF THIS SECTION. Any countywide or incorporated town or city sales tax ordinance or proposal shall include the following provisions:

(d) (I) A provision that the sale of tangible personal property and services taxable pursuant to this article shall be the same as the sale of tangible personal property and services taxable pursuant to section 39-26-104, ~~C.R.S.,~~ except as otherwise provided in this ~~paragraph (d)~~ SUBSECTION (1)(d). The sale of tangible personal property and services taxable pursuant to this article shall be subject to the same sales tax exemptions as those specified in part 7 of article 26 of title 39 ~~C.R.S.~~; except that the sale of the following may be exempted from a town, city, or county sales tax only by the express inclusion of the exemption either at the time of adoption of the initial sales tax ordinance or resolution or by amendment thereto:

(O) THE EXEMPTION FOR RETAIL SALES OF MARIJUANA UPON WHICH THE RETAIL MARIJUANA SALES TAX IS IMPOSED PURSUANT TO SECTION 39-28.8-202 AS SPECIFIED IN SECTION 39-26-729.

SECTION 24. In Colorado Revised Statutes, **add** 39-3-209 as follows:

39-3-209. State expenditure for property tax exemptions - mechanism for refunding of excess state revenue - legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES

THAT:

(a) ALTHOUGH THE EXEMPTIONS ALLOWED BY THIS PART 2 ARE EXEMPTIONS FROM LOCAL GOVERNMENT PROPERTY TAXES, THE STATE MUST REIMBURSE LOCAL GOVERNMENTS FOR THE NET AMOUNT OF PROPERTY TAX REVENUES LOST AS A RESULT OF THE EXEMPTIONS AND THEREFORE BEARS THE FULL COST OF THE EXEMPTIONS;

(b) SECTION 3.5 OF ARTICLE X OF THE STATE CONSTITUTION AUTHORIZES THE GENERAL ASSEMBLY TO RAISE OR LOWER THE MAXIMUM AMOUNT OF ACTUAL VALUE OF RESIDENTIAL REAL PROPERTY OF WHICH FIFTY PERCENT IS EXEMPT PURSUANT TO THIS PART 2;

(c) IN ORDER TO ELIMINATE THE COST OF THE EXEMPTION AND FUND OTHER STATE NEEDS, THE GENERAL ASSEMBLY, AS AUTHORIZED BY SECTION 3.5 OF ARTICLE X OF THE STATE CONSTITUTION, HAS AT TIMES TEMPORARILY SUSPENDED THE EXEMPTION FOR QUALIFYING SENIORS ALLOWED BY THIS PART 2 BY LOWERING TO ZERO THE MAXIMUM AMOUNT OF ACTUAL VALUE OF RESIDENTIAL REAL PROPERTY OF WHICH FIFTY PERCENT IS EXEMPT;

(d) THE GENERAL ASSEMBLY INTENDS TO ALLOWS SENIORS TO RELY ON PREDICTABLE AND SUSTAINABLE EXEMPTIONS BY FULLY FUNDING THE PROPERTY TAX EXEMPTION FOR QUALIFYING SENIORS IN THE FUTURE, AND IT IS MORE LIKELY TO BE ABLE TO DO SO IF THE COST OF THE EXEMPTION, WHICH EXCLUSIVELY BENEFITS TAXPAYERS WHO RESIDE IN COLORADO, CONSTITUTES A REFUND OF EXCESS STATE REVENUES FOR STATE FISCAL YEARS FOR WHICH SUCH REFUNDS ARE REQUIRED; AND

(e) SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION AUTHORIZES THE STATE TO USE ANY REASONABLE METHOD TO MAKE REQUIRED REFUNDS OF EXCESS STATE REVENUES, AND THE PAYMENT BY THE STATE OF REIMBURSEMENT TO LOCAL GOVERNMENTS FOR THE NET AMOUNT OF PROPERTY TAX REVENUES LOST AS A RESULT OF THE PROPERTY TAX EXEMPTIONS ALLOWED BY THIS PART 2, WHICH EXEMPTIONS DIRECTLY REDUCE THE TAX LIABILITY OF TAXPAYING COLORADO RESIDENTS THROUGHOUT THE STATE, IS A REASONABLE METHOD OF MAKING SUCH REFUNDS.

(2) FOR ANY STATE FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2017, FOR WHICH STATE REVENUES, AS DEFINED IN SECTION 24-77-103.6 (6)(c), EXCEED THE EXCESS STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b)(I)(C) OR (6)(b)(I)(D), AND ARE REQUIRED TO BE REFUNDED IN ACCORDANCE WITH SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, THE LESSER OF ALL REIMBURSEMENT PAID BY THE STATE TREASURER TO EACH TREASURER AS REQUIRED BY SECTION 39-3-207 (4) FOR THE PROPERTY TAX YEAR THAT COMMENCED DURING THE STATE FISCAL YEAR OR AN AMOUNT OF SUCH REIMBURSEMENT EQUAL TO THE AMOUNT OF EXCESS STATE REVENUES FOR THE STATE FISCAL YEAR THAT ARE REQUIRED TO BE REFUNDED IS A REFUND OF SUCH EXCESS STATE REVENUES.

SECTION 25. In Colorado Revised Statutes, 39-22-327, **amend** (3)(a) introductory portion and (6) as follows:

39-22-537. Credit for personal property taxes paid - legislative declaration - definitions - repeal. (3) (a) For any income tax year commencing on or after January 1, 2015, but prior to ~~January 1, 2020~~ JANUARY 1, 2019, a taxpayer who qualifies under ~~paragraph (b) of this subsection (3)~~ SUBSECTION (3)(b) OF THIS SECTION is allowed a credit against the tax imposed by this ~~article~~ ARTICLE 22 that is equal to a percentage of the property taxes paid for personal property in Colorado during the income tax year. For a given income tax year, a taxpayer's percentage is equal to one hundred percent minus the sum of the taxpayer's federal marginal income tax rate for the year and the state income tax rate for the year; except that the percentage is equal to one hundred percent for an organization that:

(6) This section is repealed, effective ~~July 1, 2022~~ JULY 1, 2021.

SECTION 26. In Colorado Revised Statutes, **add** 39-22-537.5 as follows:

39-22-537.5 Credit for personal property taxes paid - legislative declaration - definitions - repeal. (1) THE GENERAL ASSEMBLY DECLARES THAT THE PURPOSE OF THE TAX EXPENDITURE IN THIS SECTION IS TO MINIMIZE THE NEGATIVE IMPACT OF THE BUSINESS PERSONAL PROPERTY TAX ON BUSINESSES.

(2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "PROPERTY TAX" MEANS THE AD VALOREM TAX IMPOSED PURSUANT TO SECTION 3 OF ARTICLE X OF THE STATE CONSTITUTION BUT DOES NOT INCLUDE PUBLIC UTILITIES ASSESSED PURSUANT TO SECTION 39-4-102, AND DOES NOT INCLUDE THE GRADUATED ANNUAL SPECIFIC OWNERSHIP TAX IMPOSED PURSUANT TO SECTION 6 OF ARTICLE X OF THE STATE CONSTITUTION.

(b) "TAXPAYER" INCLUDES AN ORGANIZATION EXEMPT FROM FEDERAL TAXATION PURSUANT TO SECTION 501 (c) OF THE INTERNAL REVENUE CODE.

(3) (a) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2019, A TAXPAYER IS ALLOWED A CREDIT AGAINST THE TAX IMPOSED BY THIS ARTICLE 22 EQUAL TO THE PROPERTY TAX PAID IN COLORADO DURING THE INCOME TAX YEAR ON UP TO EIGHTEEN THOUSAND DOLLARS OF THE TOTAL ACTUAL VALUE OF THE TAXPAYER'S PERSONAL PROPERTY.

(b) A TAXPAYER MAY NOT CLAIM A TAX CREDIT UNDER THIS SECTION FOR THE PAYMENT OF DELINQUENT PROPERTY TAXES THAT WERE OWED FOR A PRIOR PROPERTY TAX YEAR.

(c) THE AMOUNT OF THE CREDIT UNDER THIS SECTION THAT EXCEEDS THE TAXPAYER'S INCOME TAXES DUE IS REFUNDED TO THE TAXPAYER.

(4) TO CLAIM A CREDIT UNDER THIS SECTION, A TAXPAYER MUST SUBMIT TO THE DEPARTMENT OF REVENUE A COPY OF A PROPERTY TAX STATEMENT DESCRIBED IN SECTION 39-10-103 FOR ALL OF THE TAXPAYER'S PERSONAL PROPERTY FOR THE PROPERTY TAX YEAR FOR WHICH THE CREDIT IS CLAIMED.

SECTION 27. In Colorado Revised Statutes, 39-22-627, **amend** (1)(b), (3), and (6); and **repeal** (9) as follows:

39-22-627. Temporary adjustment of rate of income tax - refund of excess state revenues - authority of executive director. (1) (b) In order for the provisions of ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION to take effect, the amount of state revenues required to be refunded for the specified state fiscal year ~~shall~~ MUST exceed the total of the ~~adjusted~~ amount ~~set forth in section 39-22-123 (4) (c),~~ OF REIMBURSEMENT FOR PROPERTY TAX REVENUES LOST AS A RESULT OF THE PROPERTY TAX EXEMPTIONS ALLOWED BY PART 2 OF ARTICLE 3 OF THIS TITLE 39 PAID BY THE STATE TREASURER TO EACH COUNTY TREASURER AS REQUIRED BY SECTION 39-3-207 (4) FOR THE PROPERTY TAX YEAR THAT COMMENCED DURING THE SPECIFIED STATE FISCAL YEAR plus the estimated amount by which state revenues would be decreased as the result of a reduction in the state income tax rate from four and sixty-three one-hundredths percent to four and one-half percent of federal taxable income, as determined pursuant to this section.

(3) If one or more ballot questions are submitted to the voters at a statewide election to be held in November of any given calendar year that seek authorization for the state to retain and spend all or any portion of the amount of excess state revenues for the state fiscal year ending during said calendar year, the executive director shall not reduce the state income tax rate until the results of said election are known so that the state income tax rate may be reduced only if, after the results of said election, the amount of excess state revenues required to be refunded for the state fiscal year exceeds the total of the ~~adjusted~~ amount ~~set forth in section 39-22-123 (4)(c),~~ OF REIMBURSEMENT FOR PROPERTY TAX REVENUES LOST AS A RESULT OF THE PROPERTY TAX EXEMPTIONS ALLOWED BY PART 2 OF ARTICLE 3 OF THIS TITLE 39 PAID BY THE STATE TREASURER TO EACH COUNTY TREASURER AS REQUIRED BY SECTION 39-3-207 (4) FOR THE PROPERTY TAX YEAR THAT COMMENCED DURING THE SPECIFIED STATE FISCAL YEAR plus the estimated amount by which state revenues would be decreased as a result of a reduction in the state income tax rate from four and sixty-three one-hundredths percent to four and one-half percent of federal taxable income pursuant to this section.

(6) If, based on the financial report prepared by the controller in accordance with section 24-77-106.5, ~~C.R.S.,~~ the controller certifies that the amount of the state revenues for any state fiscal year commencing on or after ~~July 1, 2010~~ JULY 1, 2017, exceeds the limitation on state fiscal year spending imposed by section 20 (7)(a) of article X of the state constitution for that state fiscal year and exceeds the amount of excess state revenues that the voters statewide have authorized the state to retain and spend for that state fiscal year by less than the total of the ~~adjusted~~

amount ~~set forth in section 39-22-123 (4)(c),~~ OF REIMBURSEMENT FOR PROPERTY TAX REVENUES LOST AS A RESULT OF THE PROPERTY TAX EXEMPTIONS ALLOWED BY PART 2 OF ARTICLE 3 OF THIS TITLE 39 PAID BY THE STATE TREASURER TO EACH COUNTY TREASURER AS REQUIRED BY SECTION 39-3-207 (4) FOR THE PROPERTY TAX YEAR THAT COMMENCED DURING THE SPECIFIED STATE FISCAL YEAR plus the estimated amount by which state revenues would be decreased as the result of a reduction in the state income tax rate from four and sixty-three one-hundredths percent to four and one-half percent of federal taxable income as calculated by the executive director pursuant to subsection (2) of this section, then the reduction in the state income tax rate allowed pursuant to subsection (1) of this section shall not be allowed for the income tax year commencing during the calendar year in which the state fiscal year ended.

(9) ~~If, by operation of section 39-22-123 (6), excess state revenues are no longer refunded through an earned income tax credit, the total of the adjusted amount set forth in section 39-22-123 (4)(c) is not added to the estimated amount by which state revenues would be decreased as the result of a reduction in the state income tax rate for purposes of the calculations set forth in paragraph (b) of subsection (1) and subsections (3) and (6) of this section.~~

SECTION 28. In Colorado Revised Statutes, **add** 39-26-729 as follows:

39-26-729. Retail sales of marijuana. ON AND AFTER JULY 1, 2017, ALL RETAIL SALES OF MARIJUANA UPON WHICH THE RETAIL MARIJUANA SALES TAX IS IMPOSED PURSUANT TO SECTION 39-28.8-202 ARE EXEMPT FROM TAXATION UNDER PART 1 OF THIS ARTICLE 26.

SECTION 29. In Colorado Revised Statutes, 39-28.8-202, **amend** (1)(a)(I) as follows:

39-28.8-202. Retail marijuana sales tax. (1) (a) (I) In addition to the tax imposed pursuant to part 1 of article 26 of this ~~title~~ TITLE 39 and the sales tax imposed by a local government pursuant to title 29, 30, 31, or 32, but except as otherwise set forth in ~~subparagraphs (II) and (III) of this paragraph (a)~~ SUBSECTIONS (1)(a)(II) AND (1)(a)(III) OF THIS SECTION, beginning January 1, 2014, ~~and through June 30, 2017~~ AND THROUGH JUNE 30, 2017, there is imposed upon all sales of retail marijuana and retail marijuana products by a retailer a tax at the rate of ten percent of the amount of the sale. ~~and beginning July 1, 2017, there is imposed upon all sales of retail marijuana and retail marijuana products by a retailer a tax at the rate of eight percent of the amount of the sale.~~ BEGINNING JULY 1, 2017, THERE IS IMPOSED UPON ALL SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS BY A RETAILER A TAX AT THE RATE OF FIFTEEN PERCENT OF THE AMOUNT OF THE SALE. The tax imposed by this section is computed in accordance with schedules or forms prescribed by the executive director of the department; except that a retail marijuana store is not allowed to retain any portion of the retail marijuana sales tax collected pursuant to this part 2 to cover the expenses of collecting and remitting the tax and except that the department of revenue may require a retailer to make returns and remit the tax described in this part 2 by electronic means.

SECTION 30. In Colorado Revised Statutes, 39-28.8-203, **amend** (1) introductory portion, (1)(a)(I), and (1)(b)(I); **repeal** (1)(a)(I.5); and **add** (1)(b)(I.3) and (1)(b)(I.5) as follows:

39-28.8-203. Disposition of collections - definitions. (1) The proceeds of all ~~moneys~~ MONEY collected from the retail marijuana sales tax are INITIALLY credited to the old age pension fund created in section 1 of article XXIV of the state constitution in accordance with paragraphs (a) and (f) of section 2 of article XXIV of the state constitution AND THEREAFTER ARE TRANSFERRED TO THE GENERAL FUND IN ACCORDANCE WITH SECTION 7 OF ARTICLE XXIV OF THE STATE CONSTITUTION. For each fiscal year in which a tax is collected pursuant to this part 2, an amount shall be appropriated or distributed from the general fund as follows:

(a) (I) ~~Except as otherwise set forth in subparagraph (I.5) of this paragraph (a)~~ BEFORE JULY 1, 2017, an amount equal to fifteen percent of the gross retail marijuana sales tax ~~revenues~~ REVENUE collected by the department is apportioned to local governments. ON AND AFTER JULY 1, 2017, AN AMOUNT EQUAL TO TEN PERCENT OF THE GROSS RETAIL MARIJUANA SALES TAX REVENUE COLLECTED BY THE DEPARTMENT IS APPORTIONED TO LOCAL GOVERNMENTS. The city or town share is

apportioned according to the percentage that retail marijuana sales tax ~~revenues~~ REVENUE collected by the department within the boundaries of the city or town bear to the total retail marijuana sales tax ~~revenues~~ REVENUE collected by the department. The county share is apportioned according to the percentage that retail marijuana sales tax ~~revenues~~ REVENUE collected by the department in the unincorporated area of the county bear to total retail marijuana sales tax ~~revenues~~ REVENUE collected by the department.

(I.5) ~~If the ballot issue is placed on the November 3, 2015, ballot and a majority of the electors voting thereon vote "No/Against", then beginning January 1, 2016, the amount that would otherwise be distributed to a local government through subparagraph (I) of this paragraph (a) is halved until the total reduction that results from this subparagraph (I.5) is greater than or equal to the amount that was distributed to the local government under this paragraph (a) for the fiscal year 2014-15. Thereafter, the local government receives the full apportioned amount required by subparagraph (I) of this paragraph (a). The reduction in a local government's distribution does not increase the amount apportioned to other local governments.~~

(b) (I) UNTIL JULY 1, 2017, the state treasurer shall transfer from the general fund to the marijuana tax cash fund an amount equal to eighty-five percent of the gross retail marijuana sales tax ~~revenues~~ REVENUE collected by the department.

(I.3) ON AND AFTER JULY 1, 2017, BUT BEFORE JULY 1, 2018, OF THE NINETY PERCENT OF THE GROSS RETAIL MARIJUANA SALES TAX REVENUE IN THE GENERAL FUND REMAINING AFTER THE ALLOCATION TO LOCAL GOVERNMENTS REQUIRED BY SUBSECTION (1)(a)(I) OF THIS SECTION IS MADE, THE STATE TREASURER SHALL RETAIN TWENTY-EIGHT AND FIFTEEN ONE-HUNDREDTHS PERCENT LESS THIRTY MILLION DOLLARS IN THE GENERAL FUND FOR USE FOR ANY LAWFUL PURPOSE AND SHALL TRANSFER FROM THE GENERAL FUND:

(A) SEVENTY-ONE AND EIGHTY-FIVE ONE-HUNDREDTHS PERCENT TO THE MARIJUANA TAX CASH FUND; AND

(B) THIRTY MILLION DOLLARS TO THE STATE PUBLIC SCHOOL FUND CREATED IN SECTION 22-54-114 (1) FOR USE AS SPECIFIED IN SECTION 22-54-139 (2).

(I.5) ON AND AFTER JULY 1, 2018, OF THE NINETY PERCENT OF THE GROSS RETAIL MARIJUANA SALES TAX REVENUE IN THE GENERAL FUND REMAINING AFTER THE ALLOCATION TO LOCAL GOVERNMENTS REQUIRED BY SUBSECTION (1)(a)(I) OF THIS SECTION IS MADE, THE STATE TREASURER SHALL RETAIN FIFTEEN AND FIFTY-SIX ONE-HUNDREDTHS PERCENT IN THE GENERAL FUND FOR USE FOR ANY LAWFUL PURPOSE AND SHALL TRANSFER FROM THE GENERAL FUND:

(A) SEVENTY-ONE AND EIGHTY-FIVE ONE-HUNDREDTHS PERCENT TO THE MARIJUANA TAX CASH FUND; AND

(B) TWELVE AND FIFTY-NINE ONE-HUNDREDTHS PERCENT TO THE STATE PUBLIC SCHOOL FUND CREATED IN SECTION 22-54-114 (1) FOR USE AS SPECIFIED IN SECTION 22-54-139 (3).

SECTION 31. In Colorado Revised Statutes, 43-4-206, **amend** (1) introductory portion, (1)(b) introductory portion, (1)(b)(V), (2)(a) introductory portion, (2)(b), and (3) as follows:

43-4-206. State allocation. (1) Except as otherwise provided in ~~subsection (2)~~ SUBSECTIONS (1)(a)(V), (2), AND (3) of this section, after paying the costs of the Colorado state patrol and ~~such~~ ANY other costs of the department, exclusive of highway construction, highway improvements, or highway maintenance, ~~as~~ THAT are appropriated by the general assembly, ~~sixty-five percent of the balance of~~ MONEY IN the highway users tax fund shall be paid to the state highway fund and ~~shall be~~ expended for the following purposes:

(b) Except as otherwise provided in subsection (2) of this section, all ~~moneys~~ MONEY in the state highway fund not required for the creation, maintenance, and application of the highway anticipation or sinking fund and all ~~moneys~~ MONEY in the state highway supplementary fund are available to pay for:

(V) The construction, reconstruction, repairs, improvement, planning, supervision, and maintenance of the state highway system and other public highways, including any county and municipal roads and highways, together with the acquisition of rights-of-way and access rights for the same. ANY PROCEEDS OF LEASE-PURCHASE AGREEMENTS

EXECUTED AS REQUIRED BY SECTION 24-82-1303 (2)(a) THAT ARE CREDITED TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-82-1303 (4)(b) SHALL BE USED ONLY FOR QUALIFIED FEDERAL AID HIGHWAY PROJECTS THAT ARE INCLUDED IN THE STRATEGIC TRANSPORTATION PROJECT INVESTMENT PROGRAM OF THE DEPARTMENT OF TRANSPORTATION AND THAT ARE DESIGNATED FOR TIER 1 FUNDING AS TEN-YEAR DEVELOPMENT PROGRAM PROJECTS ON THE DEPARTMENT'S DEVELOPMENT PROGRAM PROJECT LIST, WITH AT LEAST TWENTY-FIVE PERCENT OF THE MONEY BEING USED FOR PROJECTS THAT ARE LOCATED IN COUNTIES WITH POPULATIONS OF FIFTY THOUSAND OR LESS AS OF JULY 2015 AS REPORTED BY THE STATE DEMOGRAPHY OFFICE OF THE DEPARTMENT OF LOCAL AFFAIRS. NO MORE THAN NINETY PERCENT OF THE PROCEEDS SHALL BE EXPENDED FOR HIGHWAY PURPOSES OR HIGHWAY-RELATED CAPITAL IMPROVEMENTS, AND AT LEAST TEN PERCENT OF THE PROCEEDS SHALL BE EXPENDED FOR TRANSIT PURPOSES OR FOR TRANSIT-RELATED CAPITAL IMPROVEMENTS.

(2) (a) ~~Notwithstanding the provisions of subsection (1) of this section, the revenues~~ REVENUE accrued to and transferred to the highway users tax fund pursuant to section 39-26-123 (4)(a) ~~or 24-75-219, C.R.S.,~~ or appropriated to the highway users tax fund pursuant to House Bill 02-1389, enacted at the second regular session of the sixty-third general assembly, and credited to the state highway fund pursuant to section 43-4-205 (6.5) shall be expended by the department of transportation for the implementation of the strategic transportation project investment program: ~~in the following manner:~~

(b) Beginning in 1998, the department of transportation shall report annually to the transportation committee of the senate and the transportation and energy committee of the house of representatives concerning the ~~revenues~~ REVENUE expended by the department pursuant to ~~paragraph (a) of this subsection (2)~~ SUBSECTION (2)(a) OF THIS SECTION AND, BEGINNING IN 2018, ANY PROCEEDS OF LEASE-PURCHASE AGREEMENTS EXECUTED AS REQUIRED BY SECTION 24-82-1303 (2)(a) THAT ARE CREDITED TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-82-1303 (4)(b) AND EXPENDED BY THE DEPARTMENT PURSUANT TO SUBSECTION (1)(b)(V) OF THIS SECTION. THE DEPARTMENT SHALL PRESENT the report ~~shall be presented~~ at the joint meeting required under section 43-1-113 (9)(a) and THE REPORT shall describe for each fiscal year, if applicable:

(I) The projects on which the ~~revenues credited to the state highway fund pursuant to paragraph (a) of this subsection (2)~~ REVENUE AND NET PROCEEDS are to be expended, including the estimated cost of each project, the aggregate amount of revenue actually spent on each project, and the amount of revenue allocated for each project in such fiscal year. The department of transportation shall submit a prioritized list of such projects as part of the report.

(II) The status of such projects that the department has undertaken in any previous fiscal year;

(III) The projected ~~amount~~ AMOUNTS of revenue AND NET PROCEEDS that the department expects to receive under this subsection (2) AND SUBSECTION (1)(b)(V) OF THIS SECTION during ~~such~~ THE fiscal year;

(IV) The amount of revenue AND NET PROCEEDS that the department has already received under this subsection (2) AND SUBSECTION (1)(b)(V) OF THIS SECTION during ~~such~~ THE fiscal year; and

(V) How the ~~revenues~~ REVENUE AND NET PROCEEDS expended under this subsection (2) AND SUBSECTION (1)(b)(V) OF THIS SECTION during ~~such~~ THE fiscal year ~~relate~~ RELATES to the total funding of the FEDERAL AID TRANSPORTATION PROJECTS THAT ARE INCLUDED IN THE strategic transportation project investment program.

(3) ~~Notwithstanding the provisions of subsection (1) of this section, the revenues~~ THE REVENUE credited to the highway users tax fund pursuant to section 43-4-205 (6.3) shall be expended by the department of transportation only for road safety projects, as defined in section 43-4-803 (21); except that the department shall, in furtherance of its duty to supervise state highways and as a consequence in compliance with section 43-4-810, expend ten million dollars per year of the revenues for the planning, designing, engineering, acquisition, installation, construction, repair, reconstruction, maintenance, operation, or administration of transit-related projects, including, but not limited to,

designated bicycle or pedestrian lanes of highway and infrastructure needed to integrate different transportation modes within a multimodal transportation system, that enhance the safety of state highways for transit users.

SECTION 32. Appropriation - adjustments to 2017 long bill. (1) To implement this act, the general fund appropriations made in the annual general appropriation act for the 2017-18 state fiscal year to the department of health care policy and financing are decreased by $320,035 for medical services premiums.

(2) To implement this act, cash funds appropriations made in the annual general appropriation act for the 2017-18 state fiscal year from the hospital provider fee cash fund, created in section 25.5-4-402.3 (4)(a), C.R.S., to the department of health care policy and financing are decreased by $597,380,996 as follows:

Executive director's office, general administration	
Personal services	$2,480,099
Health, life, and dental	$278,894
Short-term disability	$3,870
S.B. 04-257 amortization equalization disbursement	$107,750
S.B. 06-235 supplemental amortization equalization disbursement	$107,748
Salary survey	$26,618
Merit pay	$13,447
Operating expenses	$57,372
Legal services	$123,811
Administrative law judge services	$72,169
Leased space	$247,365
Payments to OIT	$378,109
CORE operations	$148,145
General professional services and special projects	$1,202,500
Executive director's office, information technology contracts and projects	
Medicaid management information system maintenance and projects	$3,794,276
Medicaid management information system reprocurement contracts	$708,606
Colorado benefits management systems, operating and contract expenses	$3,450,954
Colorado benefits management systems, health care and economic security staff development center	$95,832
Executive director's office, eligibility determinations and client services	
Medical identification cards	$43,200
Contracts for special eligibility determinations	$4,338,468
Hospital provider fee county administration	$4,945,446
Medical assistance sites	$402,984
Customer outreach	$336,621
Centralized eligibility vendor contract project	$1,745,342
Executive director's office, utilization and quality review contracts	
Professional services contracts	$372,339
Executive director's office, provider audits and services	
Professional audit contracts	$250,000
Executive director's office, indirect cost recoveries	
Indirect cost assessment	$218,771
Medical services premiums	
Medical and long-term care services for medicaid eligible individuals	$380,854,898
Behavioral health community programs	
Behavioral health capitation payments	$25,785,121
Behavioral health fee-for-service payments	$373,007
Office of community living	
Support level administration	$221
Adult supported living services	$133,235
Case management	$28,272
Indigent care program	
Safety net provider payments	$155,648,093
Children's basic health plan administration	$2,416
Children's basic health plan medical and	

dental costs	$8,604,997

(3) For the 2017-18 state fiscal year, $861,416,161 is appropriated to the department of health care policy and financing. This appropriation is from the healthcare affordability and sustainability fee cash fund created in section 25.5-4-402.4 (5), C.R.S. To implement this act, the department may use this appropriation as follows:

Executive director's office, general administration	
Personal services	$2,480,099
Health, life, and dental	$278,894
Short-term disability	$3,870
S.B. 04-257 amortization equalization disbursement	$107,750
S.B. 06-235 supplemental amortization equalization disbursement	$107,748
Salary survey	$26,618
Merit pay	$13,447
Operating expenses	$57,372
Legal services	$123,811
Administrative law judge services	$72,169
Leased space	$247,365
Payments to OIT	$378,109
CORE operations	$148,145
General professional services and special projects	$1,202,500
Executive director's office, information technology Contracts and projects	
Medicaid management information system maintenance and projects	$3,794,276
Medicaid management information system reprocurement contracts	$708,606
Colorado benefits management systems, operating and contract expenses	$3,450,954
Colorado benefits management systems, health care and economic security staff development center	$95,832
Executive director's office, eligibility determinations and client services	
Medical identification cards	$43,200
Contracts for special eligibility determinations	$4,338,468
Hospital provider fee county administration	$4,945,446
Medical assistance sites	$402,984
Customer outreach	$336,621
Centralized eligibility vendor contract project	$1,745,342
Executive director's office, utilization and quality review contracts	
Professional services contracts	$372,339
Executive director's office, provider audits and services	
Professional audit contracts	$250,000
Executive director's office, indirect cost recoveries	
Indirect cost assessment	$218,771
Medical services premiums	
Medical and long-term care services for medicaid eligible individuals	$644,809,063
Behavioral health community programs	
Behavioral health capitation payments	$25,785,121
Behavioral health fee-for-service payments	$373,007
Office of community living	
Support level administration	$221
Adult supported living services	$133,235
Case management	$28,272
Indigent care program	
Safety net provider payments	$155,648,093
Children's basic health plan administration	$2,416
Children's basic health plan medical and dental costs	$8,604,997

(4) For the 2017-18 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive $262,665,969 in federal funds to implement this act. The appropriation in subsection (2) of this section is based on the assumption that the department will receive this amount of federal funds to be used for medical services premiums.

SECTION 33. Appropriation. For the 2016-17 state fiscal year,

$3,750 is appropriated to the department of revenue. This appropriation is from the general fund. To implement this act, the department may use this appropriation for tax administration IT system (GenTax) support.

SECTION 34. Effective date. (1) Except as otherwise provided in this section, this act takes effect upon passage.

(2) Sections 2, 3, 6, 7, 11, 13, 15 through 20, 22, and 32 of this act take effect July 1, 2017.

(3) (a) Sections 2, 3, 6, 7, 11, 13, 15 through 20, 22, and 32 of this act do not take effect if the centers for medicare and medicaid services determine that the amendments set forth in sections 2, 3, 6, 7, 11, 13, 15 through 20, 22, and 32 act do not comply with federal law.

(b) If the centers for medicare and medicaid services make the determination described in subsection (3)(a) of this section, the executive director of the department of health care policy and financing shall, no later than June 1, 2017, notify the revisor of statutes in writing of that determination by e-mailing the notice to revisorofstatutes.ga@state.co.us.

SECTION 35. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

MESSAGE FROM THE HOUSE

May 5, 2017

Mr. President:

The House has postponed indefinitely SB17-043. The bill is returned herewith.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB17-1352, amended as printed in House Journal, May 4, 2017.
HB17-1278, amended as printed in House Journal, May 4, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

May 5, 2017

We herewith transmit:

Without comment, as amended, HB17-1278 and 1352.

CONSIDERATION OF RESOLUTIONS

SJR17-043 by Senator(s) Coram; also Representative(s) McLachlan--Concerning urging the Attorney General of Colorado to file a lawsuit against the federal Environmental Protection Agency for damages caused by the spill at the Gold King mine.

Laid over until Monday, May 8, retaining its place on the calendar.

SENATE ADHERENCE ON SB17-111

SB17-111 by Senator(s) Neville T.; also Representative(s) Michaelson Jenet and Gray--Concerning measures to address medical marijuana inventory shortfalls.

Senator Neville moved that the Senate not concur in House amendments to **SB17-111**, as printed in House journal, May 2, page 1232, and that the Senate adhere to its position. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-074 by Senator(s) Garcia, Jahn, Todd; also Representative(s) Esgar--Concerning the creation of a pilot program in certain areas of the state experiencing high levels of opioid addiction to award grants to increase access to addiction treatment, and, in connection therewith, making an appropriation.

Senator Garcia moved that the Senate concur in House amendments to **SB17-074**, as printed in House journal, May 2, page 1233. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Sonnenberg, the following Governor's appointment was not confirmed by the following roll call vote:

MEMBER OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2021:

Heidi Jeanne Hess of Clifton, Colorado, a Democrat and member of the community at large, reappointed.

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR17-027, 030, 035, 037, 040, and 041.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB17-267 and SB17-305 were made Special Orders at 11:48 a.m.

Committee of the Whole

The hour of 11:48 a.m. having arrived, Senator Cooke moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Cooke 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:

SB17-267 by Senator(s) Sonnenberg and Guzman; also Representative(s) Becker K. and Becker J.-- Concerning the sustainability of rural Colorado.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 12, page(s) 757-762 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1096-1125 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-305 by Senator(s) Lundberg and Fenberg, Aguilar, Court, Guzman, Kagan, Merrifield, Neville T., Scott, Todd, Williams A.; also Representative(s) Foote and Neville P., Becker K., Beckman, Benavidez, Buck, Hooton, Humphrey, Leonard, Liston, Lontine, Lundeen, Navarro, Pabon, Ransom, Saine, Sias, Van Winkle, Williams D., Wist--Concerning modifications to select statutory provisions affecting primary elections enacted by voters at the 2016 statewide general election to facilitate the effective implementation of the state's election laws.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 4, page(s) 1070-1071 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1083-1084 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.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB17-305 by Senator(s) Lundberg and Fenberg, Aguilar, Court, Guzman, Kagan, Merrifield, Neville T., Scott, Todd, Williams A.; also Representative(s) Foote and Neville P., Becker K., Beckman, Benavidez, Buck, Hooton, Humphrey, Leonard, Liston, Lontine, Lundeen, Navarro, Pabon, Ransom, Saine, Sias, Van Winkle, Williams D., Wist--Concerning modifications to select statutory provisions affecting primary elections enacted by voters at the 2016 statewide general election to facilitate the effective implementation of the state's election laws.

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Kerr and Jones floor amendment, (L.006) to SB17-305, did pass.

Amend printed bill, page 6, strike line 27 and substitute "(1)(c) and (4); and **add** (5) as follows".

Page 8, after line 6 insert:

"(5) (a) NO LATER THAN NINETY DAYS BEFORE A PRESIDENTIAL PRIMARY ELECTION, A CANDIDATE FOR THE OFFICE OF PRESIDENT WHO DESIRES TO HAVE HIS OR HER NAME PRINTED ON THE OFFICIAL BALLOT USED IN THE PRESIDENTIAL PRIMARY ELECTION SHALL:

(I) FILE WITH THE SECRETARY OF STATE A COPY OF THE CANDIDATE'S FEDERAL INCOME TAX RETURN FOR AT LEAST THE FIVE MOST RECENT TAXABLE YEARS FOR WHICH THE CANDIDATE HAS FILED SUCH A RETURN WITH THE INTERNAL REVENUE SERVICE; AND

(II) PROVIDE WRITTEN CONSENT TO THE SECRETARY OF STATE, IN SUCH FORM AS PRESCRIBED BY THE SECRETARY OF STATE, FOR THE PUBLIC DISCLOSURE OF THE RETURNS PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(b) THE SECRETARY OF STATE SHALL MAKE ANY INCOME TAX RETURN FILED BY A CANDIDATE FOR THE OFFICE OF PRESIDENT PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION PUBLICLY AVAILABLE ON THE SECRETARY OF STATE'S OFFICIAL WEBSITE NO LATER THAN SEVEN DAYS AFTER THE INCOME TAX RETURN IS FILED.

(c) AS USED IN THIS SUBSECTION (5), "INCOME TAX RETURN" MEANS ANY RETURN AS DEFINED IN SECTION 6103 (b)(1) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED.

(d) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF A CANDIDATE FOR THE OFFICE OF PRESIDENT HAS NOT TIMELY FILED WITH THE SECRETARY OF STATE THE INCOME TAX RETURNS AND WRITTEN CONSENT REQUIRED BY SUBSECTION (5)(a) OF THIS SECTION, THE NAME OF THAT CANDIDATE SHALL NOT BE PRINTED ON THE OFFICIAL BALLOT USED IN THE PRESIDENTIAL PRIMARY ELECTION.".

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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-267 as amended, SB17-305 as amended.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB17-012, SB17-019, SB17-183, and SB17-306 were made Special Orders -- Consent Calendar at 1:19 p.m.

Committee of the Whole

The hour of 1:19 p.m. having arrived, Senator Cooke 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 Cooke 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:

SB17-012 by Senator(s) Martinez Humenik; also Representative(s) Lee, Singer--Concerning competency restoration services for defendants deemed incompetent to proceed.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 7, page 151 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1084-1085 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-019 by Senator(s) Martinez Humenik; also Representative(s) Singer--Concerning increasing medication consistency for persons with mental illness in the criminal and juvenile justice systems.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 14, page(s) 203-204 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1094-1095 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-183 by Senator(s) Gardner; --Concerning the authority for the department of military and veterans affairs to make grants related to the USS Colorado, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page 1082 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-306 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a direct transfer of money from the high cost support mechanism to broadband deployment grant applicants with proposed broadband deployment projects that have been approved by the broadband deployment board for a grant award, and, in connection therewith, requiring segregation of funds for basic voice service from funds for broadband deployment.

Ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-012 as amended, SB17-019 as amended, SB17-183 as amended, SB17-306.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB17-155** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

May 5, 2015

Mr. President:

The House has voted to recede from its position on SB17-111, and has repassed the bill as amended by the Senate. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on HB17-1070, as printed in House Journal, April 28, 2017, and has repassed the bill as amended.

The House has voted to concur in the Senate amendments to HB17-1087, 1113, 1274 and has repassed the bill as so amended.

The House has adopted and transmits herewith HJR17-1032, as printed in House Journal, May 5, 2017.

The House has postponed indefinitely SB17-253. The bill is returned herewith.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB17-1278 by Representative(s) Exum and Pettersen, Kraft-Tharp, Salazar; also Senator(s) Garcia and Guzman--Concerning deposit of proceeds from the tax on insurance premiums to the local firefighter safety and disease prevention fund.
State, Veterans, & Military Affairs

HB17-1352 by Representative(s) Winter; also Senator(s) Moreno--Concerning the regulation of student loan servicers.
State, Veterans, & Military Affairs

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate granted leave pursuant to Senate Rule 21 (c) for the Committee on Appropriations to meet in the well of the Senate.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1306** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1329** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 17, after line 10, insert:

"SECTION 3. In Colorado Revised Statutes, 26-20-102, **amend** the introductory portion and (7); and **add** (3.7) and (4.5) as follows:

26-20-102. Definitions. As used in this ~~article~~ ARTICLE 20, unless the context otherwise requires:

(3.7) "LICENSED HEALTH CARE PROVIDER" MEANS A PERSON, CORPORATION, FACILITY, OR INSTITUTION LICENSED OR CERTIFIED BY THIS STATE TO PROVIDE HEALTH CARE OR PROFESSIONAL SERVICES AS A HOSPITAL, HEALTH CARE FACILITY, OR DISPENSARY OR TO PRACTICE MEDICINE, OSTEOPATHY, CHIROPRACTIC, NURSING, PHYSICAL THERAPY, PODIATRY, DENTISTRY, PHARMACY, ACUPUNCTURE, OR OPTOMETRY IN THIS STATE, OR AN OFFICER, EMPLOYEE, OR AGENT OF THE PERSON, CORPORATION, FACILITY, OR INSTITUTION WORKING UNDER THE

SUPERVISION OF THE PERSON, CORPORATION, FACILITY, OR INSTITUTION IN PROVIDING HEALTH CARE SERVICES.

(4.5) "MEDICAL ISOLATION" MEANS THE PLACEMENT OF AN INDIVIDUAL ALONE IN A ROOM OR AN AREA FROM WHICH EGRESS IS INVOLUNTARILY PREVENTED FOR THE PERIOD OF TIME NECESSARY TO RESOLVE A MEDICAL CONDITION AND TO ACHIEVE THE BEST HEALTHY OUTCOMES FOR YOUTH IN SUCH MEDICAL ISOLATION. MEDICAL ISOLATION MUST BE PRESCRIBED BY A LICENSED HEALTH CARE PROVIDER AND BE FOR A PERIOD OF TIME THAT IS NO LONGER THAN IS MEDICALLY NECESSARY.

(7) "Seclusion" means the placement of an individual alone in a room or area from which egress is involuntarily prevented. ~~except during normal sleeping hours.~~ "SECLUSION" DOES NOT INCLUDE:

(a) NORMAL SLEEPING HOURS; OR

(b) MEDICAL ISOLATION.".

Renumber succeeding sections accordingly.

Finance After consideration on the merits, the Committee recommends that **HB17-1315** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, strike lines 6 through 10 and substitute "OR BEFORE MARCH 1, 2018, AND ON OR BEFORE MARCH 1 EACH YEAR THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, OR TO ANY SUCCESSOR COMMITTEES, THAT INCLUDES, TO THE EXTENT POSSIBLE, THE FOLLOWING".

Page 2, line 13, strike "PREVIOUS" and substitute "REPORTING PERIOD;".

Page 2, strike line 14.

Page 2, line 16, strike "PREVIOUS CALENDAR YEAR," and substitute "REPORTING PERIOD,".

Page 3, line 10, strike "PREVIOUS YEAR" and substitute "REPORTING PERIOD".

Page 3, line 24, strike "BRANCH," and substitute "BRANCH AND FROM THE DENVER COUNTY COURT,".

Page 6, after line 13 insert:

"(b) "REPORTING PERIOD" MEANS THE CALENDAR YEAR ENDING FOURTEEN MONTHS BEFORE THE MARCH 1 DUE DATE OF THE REPORT.".

Reletter succeeding paragraph accordingly.

Page 6, after line 16 insert:

"(7) THE DEPARTMENT OF PUBLIC SAFETY SHALL INCLUDE THE REPORT DESCRIBED IN SUBSECTION (1) OF THIS SECTION IN THE DEPARTMENT'S ANNUAL PRESENTATION TO THE COMMITTEES OF REFERENCE PURSUANT TO SECTION 2-7-203.".

Finance After consideration on the merits, the Committee recommends that **HB17-1351** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 21, after the semicolon insert "and".

Page 3, line 1, strike "treatment; and" and substitute "treatment.".

Page 3, strike lines 2 through 7.

Page 3, strike lines 12 through 15 and substitute "program.".

Page 3, line 24, after the period insert "IN ADDITION, THE REPORT MUST ALSO INCLUDE AN ANALYSIS OF PROVIDING RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER TREATMENT AS A STATE-FUNDED BENEFIT RATHER THAN THROUGH THE MEDICAID PROGRAM.".

Page 4, strike lines 16 and 17 and substitute "USE DISORDER TREATMENT AND A COMPARISON OF THE TREATMENT COSTS AND ADMINISTRATIVE COSTS OF PROVIDING THE SERVICE UTILIZING MEDICAID DOLLARS OR WITH STATE FUNDING;".

Page 7, strike lines 4 through 18.

Renumber succeeding sections accordingly.

Finance After consideration on the merits, the Committee recommends that **HB17-1266** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB17-1090** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 4, line 23, strike "~~and~~" and substitute "and".

Page 4, strike lines 24 through 27 and substitute "each ~~of the 2015, 2016, and 2017 calendar years; except that the amount of tax credits that were not authorized for 2014 may be allocated to 2015~~ CALENDAR YEAR FROM 2015".

Finance After consideration on the merits, the Committee recommends that **HB17-1365** 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 **HB17-1002** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB17-1277** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB17-1324** be postponed indefinitely.

Finance After consideration on the merits, the Committee recommends that **HB17-1355** 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 **HB17-1119** be referred to the Committee on Appropriations with favorable recommendation.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, May 8, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

118th Legislative Day — Monday, May 8, 2017

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--32
Excused--3, Fenberg, Tate, Williams.
Present later--3, Fenberg, Tate, Williams.

Quorum — The President announced a quorum present.

Pledge — By Senator Priola.

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Friday, May 5, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1340** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1356** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1346** 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 **HB17-1313** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 13, line 12, strike "public" and substitute "local affairs.".

Page 13, strike line 13.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1284** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1264** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1208** 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 **HB17-1162** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations

After consideration on the merits, the Committee recommends that **HB17-1079** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB17-012, 019, 183, 267, 296, 300, 304, 305, and 306.
Correctly Reengrossed: SB17-302 and 304.
Correctly Revised: HB17-1289, 1332, and 1359.
Correctly Rerevised: HB17-1293 and 1317.
Correctly Enrolled: SJR17-027 and 035.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

Upon request of Majority Leader Holbert, **SB17-019** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Monday, May 8, 2017, and was placed at the end of the Third Reading of Bills Final Passage Calendar of Monday, May 8, 2017.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB17-304 by Senator(s) Martinez Humenik and Williams A., Tate; also Representative(s) Singer and Thurlow, Pabon--Concerning the authority of the joint technology committee.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas.

HB17-1332 by Representative(s) Bridges and Wilson; also Senator(s) Fenberg and Smallwood--Concerning state board of education authorization for an alternative teacher license for a person who participates in an alternative teacher program provided by a designated agency working with a nonpublic early child care facility.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Garcia, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Todd, Williams A., and Zenzinger.

HB17-1289 by Representative(s) Valdez and Hansen; also Senator(s) Coram and Crowder--Concerning a requirement that the state engineer promulgate rules that establish an optional streamlined approach to calculate the historical consumptive use of a water right.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Garcia, Jones, Martinez Humenik, Scott, Smallwood, Sonnenberg, and Tate.

SB17-012 by Senator(s) Martinez Humenik; also Representative(s) Lee, Singer--Concerning competency restoration services for defendants deemed incompetent to proceed, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB17-183 by Senator(s) Gardner; also Representative(s) Lee--Concerning the authority for the department of military and veterans affairs to make grants related to the USS Colorado, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Garcia, Guzman, Hill, Kerr, Priola, Tate, and Todd.

SB17-306 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a direct transfer of money from the high cost support mechanism to broadband deployment grant applicants with proposed broadband deployment projects that have been approved by the broadband deployment board for a grant award, and, in connection therewith, requiring segregation of funds for basic voice service from funds for broadband deployment.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Donovan, Grantham, Guzman, Jahn, Jones, Martinez Humenik, Merrifield, Tate, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1359 by Representative(s) Young; also Senator(s) Gardner--Concerning positions in the department of education that are exempt from the state personnel system.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB17-300 by Senator(s) Lambert; also Representative(s) Kennedy--Concerning the authority of the commissioner of insurance to implement programs to address the rising costs of providing health care coverage to high-risk individuals in the state, and, in connection therewith, directing the commissioner to study issues related to the implementation of such programs.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Donovan, Grantham, Guzman, Kefalas, Lundberg, Martinez Humenik, Moreno, and Williams A.

SB17-296 by Senator(s) Hill; also Representative(s) Pettersen--Concerning financing public schools.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Gardner, Grantham, Holbert, Marble, Martinez Humenik, Priola, Scott, Smallwood, Sonnenberg, and Tate.

SB17-267 by Senator(s) Sonnenberg and Guzman; also Representative(s) Becker K. and Becker J.--Concerning the sustainability of rural Colorado.

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	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Coram, Crowder, Donovan, Fenberg, Fields, Garcia, Jahn, Kagan, Kefalas, Kerr, Merrifield, Todd, and Williams A.

SB17-305 by Senator(s) Lundberg and Fenberg, Aguilar, Court, Guzman, Kagan, Merrifield, Neville T., Scott, Todd, Williams A.; also Representative(s) Foote and Neville P., Becker K., Beckman, Benavidez, Buck, Hooton, Humphrey, Leonard, Liston, Lontine, Lundeen, Navarro, Pabon, Ransom, Saine, Sias, Van Winkle, Williams D., Wist--Concerning modifications to select statutory provisions affecting primary elections enacted by voters at the 2016 statewide general election to facilitate the effective implementation of the state's election laws, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Lundberg was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.007), by Senator Fenberg.

Amend engrossed bill, page 3, strike line 10 and substitute "introductory portion and (2)(a) as follows:".

Page 4, strike lines 22 through 27.

Page 5, strike line 1.

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

Co-sponsor(s) added: Lambert, Martinez Humenik, and Tate.

RECONSIDERATION OF SB17-305

SB17-305 by Senator(s) Lundberg and Fenberg, Aguilar, Court, Guzman, Kagan, Merrifield, Neville T., Scott, Todd, Williams A.; also Representative(s) Foote and Neville P., Becker K., Beckman, Benavidez, Buck, Hooton, Humphrey, Leonard, Liston, Lontine, Lundeen, Navarro, Pabon, Ransom, Saine, Sias, Van Winkle, Williams D., Wist--Concerning modifications to select statutory provisions affecting primary elections enacted by voters at the 2016 statewide general election to facilitate the effective implementation of the state's election laws, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on **SB17-305**.

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 titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB17-305 by Senator(s) Lundberg and Fenberg, Aguilar, Court, Guzman, Kagan, Merrifield, Neville T., Scott, Todd, Williams A.; also Representative(s) Foote and Neville P., Becker K., Beckman, Benavidez, Buck, Hooton, Humphrey, Leonard, Liston, Lontine, Lundeen, Navarro, Pabon, Ransom, Saine, Sias, Van Winkle, Williams D., Wist--Concerning modifications to select statutory provisions affecting primary elections enacted by voters at the 2016 statewide general election to facilitate the effective implementation of the state's election laws, and, in connection therewith, making an appropriation.

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

SB17-019 by Senator(s) Martinez Humenik; also Representative(s) Singer--Concerning increasing medication consistency for persons with mental illness in the criminal and juvenile justice systems, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Martinez Humenik was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.011), by Senator Martinez Humenik.

Amend engrossed bill, page 5, line 6, strike "SEPTEMBER" and substitute "DECEMBER".

Page 5, line 19, strike "SEPTEMBER" and substitute "DECEMBER".

Page 6, line 6, after "REQUEST" insert "TO THE OFFICE OF STATE PLANNING AND BUDGETING".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Court, Fields, Jones, Kefalas, Kerr, Merrifield, Tate, Todd, Williams A., and Zenzinger.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1322 by Representative(s) Esgar and Landgraf; also Senator(s) Donovan and Lundberg--Concerning an exception to the requirement that certain medical professionals report to law enforcement concerning injuries resulting from domestic violence.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1308 by Representative(s) Salazar and Sias; also Senator(s) Kagan and Cooke--Concerning allowing individualized conditions of parole.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1338 by Representative(s) Bridges and Liston; also Senator(s) Marble and Kagan--Concerning a requirement for a timely hearing for a defendant in jail with a municipal court hold.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1357 by Representative(s) Pabon; also Senator(s) Cooke and Williams A.--Concerning modifications to the skilled worker training program administered by the department of labor and employment.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1354 by Representative(s) Becker K.; also Senator(s) Priola and Kefalas--Concerning the collection of delinquent taxes on certain mobile homes.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Tate, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1322, HB17-1308, HB17-1338, HB17-1357, HB17-1354.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1342 by Representative(s) Benavidez; also Senator(s) Crowder--Concerning authorization for a county to submit a ballot question for a county public safety improvements tax at a biennial county or November odd-year election.

Amendment No. 1(L.001), by Senator Crowder.

Amend reengrossed bill, page 2, line 7, strike "shall" and substitute "~~shall~~ MUST".

Page 2, line 8, strike "EARLIEST OF THE".

Page 2, line 11, strike "YEAR." and substitute "YEAR AS DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1227 by Representative(s) Winter and Lawrence, Covarrubias, McKean, McLachlan; also Senator(s) Priola and Fenberg--Concerning an extension of demand-side management goals for investor-owned utilities as set by the public utilities commission.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 4, page(s) 1077-1078 and placed in members' bill files.)

As amended, ordered revised 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.)

SB17-003 by Senator(s) Smallwood; also Representative(s) Neville P.--Concerning the repeal of the "Colorado Health Benefit Exchange Act".

Laid over until Thursday, May 11.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB17-1227 by Representative(s) Winter and Lawrence, Covarrubias, McKean, McLachlan; also Senator(s) Priola and Fenberg--Concerning an extension of demand-side management goals for investor-owned utilities as set by the public utilities commission.

Senators Priola and Fenberg moved to amend the Report of the Committee of the Whole to show that Amendment No. 1, Finance Committee Amendment, to HB17-1227 did not pass.

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Tate, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1342 as amended, HB17-1227.
Laid over until Thursday, May 11: SB17-003.

MESSAGE FROM THE HOUSE

May 8, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1366, 1371.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1363, amended as printed in House Journal, May 5, 2017.
HB17-1367, amended as printed in House Journal, May 5, 2017.
HB17-1360, amended as printed in House Journal, May 5, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB17-1369, amended as printed in House Journal, May 5, 2017, and amended on Third Reading as printed in House Journal, May 8, 2017.

The House has passed on Third Reading and returns herewith SB17-180, 292, 295, 297,129, 280.

The House has passed on Third Reading and returns herewith SCR-001.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB17-025, amended as printed in House Journal, May 5, 2017.
SB17-028, amended as printed in House Journal, May 5, 2017.
SB17-201, amended as printed in House Journal, May 5, 2017.
SB17-236, amended as printed in House Journal, May 5, 2017.
SB17-207, amended as printed in House Journal, May 5, 2017.
SB17-249, amended as printed in House Journal, May 5, 2017.
SB17-211, amended as printed in House Journal, May 5, 2017.
SB17-140, amended as printed in House Journal, May 5, 2017.
SB17-294, amended as printed in House Journal, May 5, 2017.
SB17-192, amended as printed in House Journal, May 5, 2017.
SB17-242, amended as printed in House Journal, May 5, 2017.
SB17-298, amended as printed in House Journal, May 5, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

May 8, 2017

We herewith transmit:

Without comment, HB17-1366 and 1371.
Without comment, as amended, HB17-1360, 1363, 1367, and 1369.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB17-1360 by Representative(s) Pabon; also Senator(s) Moreno--Concerning allowing a person with a subsequent criminal case to seal a low-level offense.
Finance

HB17-1363 by Representative(s) Hansen; also Senator(s) Martinez Humenik--Concerning an exemption from otherwise applicable requirements for financing from the Colorado new energy improvement district if a residential property owner is not seeking to subordinate the priority of existing mortgages.
Finance

HB17-1366 by Representative(s) Arndt and Winter; also Senator(s) Kefalas--Concerning a requirement to include measurable goals that are subject to deadlines in Colorado's climate action plan.
State, Veterans, & Military Affairs

HB17-1367 by Representative(s) Pabon and Arndt; also Senator(s) Jahn and Baumgardner--Concerning marijuana research authorization.
Finance

HB17-1369 by Representative(s) Pabon; also Senator(s) Marble--Concerning bond procedures for persons not appearing in court due to immigration-related issues.
Finance

HB17-1371 by Representative(s) Lee; also Senator(s) Cooke--Concerning the distribution of medications to outlets that are under common ownership of certain entities.
State, Veterans, & Military Affairs

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB17-275, SB17-301, and SB17-021 were made Special Orders at 12:21 p.m.

Committee of the Whole

The hour of 12:21 p.m. having arrived, Senator Tate moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Tate 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:

SB17-275 by Senator(s) Baumgardner and Jahn; also Representative(s) Melton and Singer--Concerning marijuana, and, in connection therewith, authorizing research regarding the safety and efficacy of medical marijuana and the safe and effective use of pesticides and establishing interim standards for the use of pesticides.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, April 26, page(s) 939-940 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, May 2, page 1029 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1082-1083 and placed in members' bill files.)

Amendment No. 4(L.005), by Senator Jahn.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated April 26, 2017, page 2, strike line 25 and substitute "(2.5)(a)(I) FOR THE PARTICULAR TESTING CATEGORY AND".

Page 2, strike line 28 and substitute "17025:2005 STANDARD, OR ANY SUBSEQUENT SUPERSEDING STANDARD, IN THAT FIELD OF TESTING.".".

Page 3, strike lines 23 and 24 and substitute "PARTICULAR TESTING

CATEGORY AND ACCREDITED TO THE INTERNATIONAL ORGANIZATION FOR STANDARDIZATION / INTERNATIONAL ELECTROTECHNICAL COMMISSION 17025:2005 STANDARD, OR ANY SUBSEQUENT SUPERSEDING STANDARD, IN THAT FIELD OF TESTING.".".

Amendment No. 5(L.007), by Senator Jahn.

Amend printed bill, page 10, strike lines 4 through 8 and substitute:

"**SECTION 6. Act subject to petition - effective date - applicability.** (1) This act takes effect January 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on January 1, 2018, or on the date of the official declaration of the vote thereon by the governor, whichever is later.

(2) This act applies to conduct occurring on or after the applicable effective date of this act.".

Amendment No. 6(L.008), by Senator Jahn.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated April 26, 2017, page 1, line 8, strike "SECTION" and substitute "SECTION; SHALL NOT POSSESS AT ANY TIME A QUANTITY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCT IN EXCESS OF THE LIMIT ESTABLISHED IN RULES PROMULGATED BY THE STATE LICENSING AUTHORITY;".

Page 1, line 22, strike "USED BY" and substitute "TRANSFERRED TO".

Page 1, after line 23 insert:

"Page 5 of the bill, line 2, strike "AUTHORITY THAT" and substitute "AUTHORITY, IN CONSULTATION WITH THE DEPARTMENTS OF PUBLIC HEALTH AND ENVIRONMENT AND AGRICULTURE. THE RULES MUST DEFINE A PESTICIDE MANUFACTURER THAT IS AUTHORIZED TO CONDUCT RESEARCH AND MUST".".

Page 2, line 4, after "MARIJUANA" insert "MUST BE LOCATED IN COLORADO, MUST CONDUCT THE RESEARCH IN COLORADO, AND".

Page 2, line 15, strike "DESTROY" and substitute "DESTROY, IN COMPLIANCE WITH RULES PROMULGATED BY THE STATE LICENSING AUTHORITY,".

Page 3, line 1, strike "USED BY" and substitute "TRANSFERRED TO".

Page 3, after line 2 insert:

"Page 5 of the bill, line 21, strike "AUTHORITY THAT" and substitute "AUTHORITY, IN CONSULTATION WITH THE DEPARTMENTS OF PUBLIC HEALTH AND ENVIRONMENT AND AGRICULTURE. THE RULES MUST DEFINE A PESTICIDE MANUFACTURER THAT IS AUTHORIZED TO CONDUCT RESEARCH AND MUST".".

Page 3, line 6, after "MARIJUANA" insert "MUST BE LOCATED IN COLORADO, MUST CONDUCT THE RESEARCH IN COLORADO, AND".

Page 3, line 14, strike "DESTROY" and substitute "DESTROY, IN COMPLIANCE WITH RULES PROMULGATED BY THE STATE LICENSING AUTHORITY,".

Amendment No. 7(L.009), by Senator Jahn.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated April 26, 2017, page 2, line 14, strike "AND".

Page 2, strike line 17 and substitute "BEEN COMPLETED; AND
(D) NOT APPLY PESTICIDES FOR RESEARCH PURPOSES ON THE LICENSED PREMISES OF A MEDICAL MARIJUANA BUSINESS.".

Page 3, line 13, strike "AND".

Page 3, strike line 15 and substitute "RESEARCH HAS BEEN COMPLETED; AND
(IV) NOT APPLY PESTICIDES FOR RESEARCH PURPOSES ON THE LICENSED PREMISES OF A RETAIL MARIJUANA ESTABLISHMENT.".

Amendment No. 8(L.014), by Senator Jahn.

Amend printed bill, page 4, strike lines 8 through 13 and substitute "AWARD GRANTS PURSUANT TO THIS SECTION TO MEDICAL RESEARCH FACILITIES SO THAT A FACILITY MAY:
(I) PURCHASE MARIJUANA FROM A LICENSEE SPECIFIED IN THIS SUBSECTION (5)(b) THAT WILL BE USED IN THE RESEARCH; AND
(II) CONDUCT THE MEDICAL RESEARCH.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-021 by Senator(s) Martinez Humenik; also Representative(s) Singer--Concerning reentry services for persons with mental illness in the criminal justice system, and, in connection therewith, making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 16, page(s) 446-448 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page 1095 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB17-301 by Senator(s) Scott and Marble; also Representative(s) Becker J.--Concerning energy-related statutes.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1053-1054 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, May 4, page 1077 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page 1083 and placed in members' bill files.)

Amendment No. 4(L.016), by Senator Scott.

Amend printed bill, page 53, line 6, strike "(25)(a)" and substitute "(25)(a); and **add** (26)".

Page 53, line 9, after "2014," and substitute "THROUGH DECEMBER 31, 2017,".

Page 53, lines 10 and 11, strike "~~fifty~~ EIGHTY-FIVE" and substitute "fifty".

Page 53, line 13, strike "~~thirty~~ SIXTY-FIVE" and substitute "thirty".

Page 53, after line 16 insert:

"(26) (a) (I) BEGINNING JANUARY 1, 2017, IN ADDITION TO ANY OTHER FEE IMPOSED BY THIS SECTION, COUNTY CLERKS AND RECORDERS SHALL ANNUALLY COLLECT A FEE OF NINETY-FIVE DOLLARS AT THE TIME OF REGISTRATION ON EVERY BATTERY ELECTRIC MOTOR VEHICLE. COUNTY CLERKS AND RECORDERS SHALL TRANSMIT THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT SIXTY-FIVE DOLLARS OF EACH FEE

TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201, AND THIRTY DOLLARS OF EACH FEE TO THE ELECTRIC VEHICLE GRANT FUND CREATED IN SECTION 24-38.5-103.

(II) BEGINNING JANUARY 1, 2017, IN ADDITION TO ANY OTHER FEE IMPOSED BY THIS SECTION, COUNTY CLERKS AND RECORDERS SHALL ANNUALLY COLLECT A FEE OF SIXTY-FIVE DOLLARS AT THE TIME OF REGISTRATION ON EVERY PLUG-IN HYBRID ELECTRIC MOTOR VEHICLE. COUNTY CLERKS AND RECORDERS SHALL TRANSMIT THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT THIRTY-FIVE DOLLARS OF EACH FEE TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201, AND THIRTY DOLLARS OF EACH FEE TO THE ELECTRIC VEHICLE GRANT FUND CREATED IN SECTION 24-38.5-103.

(b) THE DEPARTMENT OF REVENUE SHALL CREATE AN ELECTRIC VEHICLE DECAL, WHICH A COUNTY CLERK AND RECORDER SHALL GIVE TO EACH PERSON WHO PAYS THE FEE CHARGED UNDER THIS SUBSECTION (26). THE DECAL MUST BE ATTACHED TO THE UPPER RIGHT-HAND CORNER OF THE FRONT WINDSHIELD ON THE MOTOR VEHICLE FOR WHICH IT WAS ISSUED. IF THERE IS A CHANGE OF VEHICLE OWNERSHIP, THE DECAL IS TRANSFERABLE TO THE NEW OWNER.

(c) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(I) "BATTERY ELECTRIC MOTOR VEHICLE" MEANS A MOTOR VEHICLE THAT:

(A) CAN BE RECHARGED FROM ANY EXTERNAL SOURCE OF ELECTRICITY, WHERE THE ELECTRICITY IS STORED IN A RECHARGEABLE BATTERY PACK THAT PROPELS OR CONTRIBUTES TO PROPEL THE VEHICLE'S DRIVE WHEELS;

(B) DOES NOT HAVE AN ENGINE CAPABLE OF RUNNING ON A LIQUID FUEL SUCH AS GASOLINE, COMPRESSED NATURAL GAS, OR DIESEL FUEL; AND

(C) HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST FIFTY-FIVE MILES PER HOUR.

(II) "PLUG-IN ELECTRIC MOTOR VEHICLE" MEANS A MOTOR VEHICLE THAT:

(A) CAN BE RECHARGED FROM ANY EXTERNAL SOURCE OF ELECTRICITY, WHERE THE ELECTRICITY IS STORED IN A RECHARGEABLE BATTERY PACK THAT PROPELS OR CONTRIBUTES TO PROPEL THE VEHICLE'S DRIVE WHEELS;

(B) HAS AN ENGINE CAPABLE OF RUNNING ON A LIQUID FUEL SUCH AS GASOLINE, COMPRESSED NATURAL GAS, OR DIESEL FUEL; AND

(C) HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST FIFTY-FIVE MILES PER HOUR.".

Amendment No. 5(L.038), by Senator Marble.

Amend printed bill, page 9, after line 3 insert:

"**SECTION 3.** In Colorado Revised Statutes, 34-60-106, **add** (18) as follows:

34-60-106. Additional powers of commission - rules - legislative declaration. (18) (a) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(I) THE COMMISSION HAS ISSUED A NOTICE TO OPERATORS TO REQUIRE OPERATORS IN THE STATE TO IDENTIFY AND INSPECT FLOWLINES WITHIN ONE THOUSAND FEET OF A BUILDING UNIT TO ENSURE AND DOCUMENT INTEGRITY OF FLOWLINES STATEWIDE AND TO VERIFY THAT ANY EXISTING FLOWLINE THAT IS NOT IN ACTIVE USE, REGARDLESS OF WHEN IT WAS INSTALLED OR TAKEN OUT OF SERVICE, IS ABANDONED PURSUANT TO 2 CCR 404-1, RULE 1103, AS THE RULE WAS IN EFFECT ON THE EFFECTIVE DATE OF THIS SUBSECTION (18). THIS PROCESS IS BEING DONE IN TWO PHASES. THE FIRST PHASE EMPHASIZES THE IDENTIFICATION AND INSPECTION OF FLOWLINES WITHIN ONE THOUSAND FEET OF A BUILDING UNIT, THE DOCUMENTATION OF INTEGRITY OF THOSE FLOWLINES, AND THE PROPER ABANDONMENT OF ANY FLOWLINE STATEWIDE THAT IS NOT IN ACTIVE USE. THE SECOND PHASE IS TO INSPECT AND DOCUMENT FLOWLINE INTEGRITY FOR ALL EXISTING FLOWLINES STATEWIDE.

(II) THE GENERAL ASSEMBLY SUPPORTS THIS NOTICE TO OPERATORS ISSUED BY THE COMMISSION. IT IS IMPORTANT FOR THE LEGISLATURE TO KEEP APPRISED OF THE PROGRESS AND RESULTS OF THIS EFFORT TO ENSURE THAT IT IS DIRECTED AT A MEANINGFUL AND

IMMEDIATE RESPONSE THAT ENHANCES UNDERSTANDING AND SAFETY WITH RESPECT TO UNDERGROUND FLOWLINES NEAR RESIDENTIAL DEVELOPMENTS.

(b) NOTWITHSTANDING SECTION 24-1-136 (11), THE COMMISSION SHALL REPORT PROGRESS OF THE EFFORT DESCRIBED IN THIS SUBSECTION (18) TO THE GENERAL ASSEMBLY THIRTY DAYS AFTER THE ENACTMENT OF THIS SUBSECTION (18) AND EVERY THIRTY DAYS THEREAFTER UNTIL THE PROCESS OF ENSURING INTEGRITY OF THE FLOWLINES AND DOCUMENTING THAT PROCESS IS COMPLETED.".

Renumber succeeding sections accordingly.

Amendment No. 6(L.030), by Senator Scott.

Amend printed bill, page 26, after line 27 insert:

"**SECTION 10.** In Colorado Revised Statutes, 24-38.5-103, **amend** (1)(a) introductory portion as follows:

24-38.5-103. Electric vehicle grant fund - creation - administration - legislative declaration. (1) (a) There is hereby created in the state treasury the electric vehicle grant fund, referred to in this section as the "fund". The fund shall be used to provide grants to state agencies, public universities, public transit agencies, local governments, landlords of multi-family apartment buildings, private nonprofit or for-profit corporations, and the unit owners' associations of common interest communities as defined in article 33.3 of title 38, ~~C.R.S., to install recharging~~ TO OFFSET COSTS ASSOCIATED WITH CHARGING stations for electric vehicles. The grants shall be prioritized based upon:".

Renumber succeeding sections accordingly.

Amendment No. 7(L.043), by Senator Scott.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated May 3, 2017, page 1, strike line 1 and substitute:

"Amend printed bill, page 4, strike lines 3 through 27 and substitute:

"**ownership of natural gas reserves - rules.** THE COMMISSION SHALL ADOPT RULES BY WHICH IT WILL EVALUATE APPLICATIONS FILED BY COLORADO'S INVESTOR-OWNED NATURAL GAS UTILITIES TO ACQUIRE INTERESTS IN NATURAL GAS RESERVES. THE RULE-MAKING MUST COMMENCE ON OR BEFORE AUGUST 1, 2017, AND FOLLOW THE REQUIREMENTS SET FORTH IN THE "STATE ADMINISTRATION PROCEDURE ACT", ARTICLE 4 OF TITLE 24. THE RULES MUST, AT MINIMUM, ESTABLISH CRITERIA FOR ASSET EVALUATION AND APPLICATION REVIEW AND ADMINISTRATION; EXCEPT THAT AN INVESTOR-OWNED UTILITY'S COSTS ASSOCIATED WITH ANY APPROVED APPLICATION MAY NOT BE RECOVERED THROUGH ANY RATE ADJUSTMENT.".

Strike pages 5 through 8 of the bill.

Page 9 of the bill, strike lines 1 through 3.".

Page 1 of the committee report, strike lines 2 through 15.

Page 2 of the committee report, strike lines 1 through 18 and lines 20 through 22.

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.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

SB17-301 by Senator(s) Scott and Marble; also Representative(s) Becker J.--Concerning energy-related statutes.

Senator Fenberg moved to amend the Report of the Committee of the Whole to show that the following Fenberg floor amendment, (L.044) to SB17-301, did pass.

Amend printed bill, page 9, after line 3 insert:

"**SECTION 3.** In Colorado Revised Statutes, **add** 40-2-130 as follows:

40-2-130. Distributed resources - distributed electricity storage systems - rules. (1) ON OR BEFORE DECEMBER 31, 2017, THE PUBLIC UTILITIES COMMISSION SHALL INITIATE A RULE-MAKING PROCEEDING TO ADOPT RULES GOVERNING THE INSTALLATION AND USE OF CUSTOMER-SITED DISTRIBUTED ELECTRICITY STORAGE SYSTEMS BY CUSTOMERS OF UTILITIES SUBJECT TO REGULATION BY THE COMMISSION. IN CONDUCTING THE RULE-MAKING PROCEEDING, THE COMMISSION SHALL CONSIDER AND STRIVE TO USE AS A GUIDE, AT A MINIMUM:

(a) ANY AVAILABLE, AGREED-UPON GUIDANCE FROM RELEVANT STAKEHOLDER WORKING GROUP DISCUSSIONS;

(b) THE EXTENT TO WHICH UTILITY APPROVAL PROCESSES AND INTERCONNECTION REVIEWS OF DISTRIBUTED ELECTRICITY STORAGE SYSTEMS CAN BE KEPT AS SIMPLE, STREAMLINED, AND AFFORDABLE FOR CUSTOMERS AS POSSIBLE;

(c) METHODS TO ENSURE BASIC SAFETY BY INCORPORATING COMPLIANCE WITH EXISTING SAFETY, ELECTRICAL, OR BUILDING CODES AS AN ALTERNATIVE TO IMPOSING DUPLICATIVE INSPECTION AND CERTIFICATION REQUIREMENTS; AND

(d) LESS COSTLY ALTERNATIVES TO THE INSTALLATION OF ADDITIONAL CUSTOMER-SITED METERS. SUCH ALTERNATIVES MAY INCLUDE REASONABLE ESTIMATION METHODOLOGIES, USE OF DISTRIBUTION-LEVEL METERS FOR AGGREGATING DATA, USE OF A SINGLE REVENUE METER, AND USE OF PAST CONSUMPTION AND LOAD DATA OR MODELING TO ACCOUNT FOR AN ELECTRICITY STORAGE CUSTOMER'S LOAD OR AMOUNT OF EXPORTED ENERGY.".

Renumber succeeding sections 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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones floor amendment, (L.024) to SB17-301, did pass.

Amend printed bill, page 5, strike lines 19 through 27.

Page 6, strike lines 1 through 3.

Page 6, line 5, strike "PRODUCTION AND GATHERING RESOURCES" and substitute "RESERVES".

Page 6, lines 8 and 9, strike "PRODUCTION AND GATHERING RESOURCE" and substitute "RESERVE".

Page 6, lines 18 and 19, strike "PRODUCTION AND GATHERING RESOURCES" and substitute "RESERVES".

Page 6, line 27, strike "PRODUCTION" and substitute "RESERVE.".

Page 7, strike line 1.

Page 7, strike lines 9 through 13.

Renumber succeeding subparagraphs accordingly.

Page 8, line 10, strike "PRODUCTION AND GATHERING RESOURCES" and substitute "RESERVES".

Page 8, lines 18 and 19, strike "NATURAL GAS PRODUCTION AND GATHERING ASSETS COSTS OF SERVICE" and substitute "THE COST OF ACQUIRING NATURAL GAS RESERVES".

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 was **lost** on the following roll call vote:

YES 17		NO 18		EXCUSED 0		ABSENT 0	
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones floor amendment, (L.026) to SB17-301, did pass.

Amend printed bill, page 9, after line 3 insert:

"**SECTION 3.** In Colorado Revised Statutes, 34-60-103, **add** (4.1), (5.3), (6.2), and (6.4) as follows:

34-60-103. Definitions. As used in this article, unless the context otherwise requires:

(4.1) "DIRECTOR" MEANS THE DIRECTOR OF THE COMMISSION.

(5.3) "LOCAL GOVERNMENT" MEANS A HOME RULE OR STATUTORY CITY, TOWN, TERRITORIAL CHARTER CITY, COUNTY, OR CITY AND COUNTY.

(6.2) "OIL AND GAS FACILITY" MEANS EQUIPMENT OR IMPROVEMENTS, WHETHER SURFACE OR SUBSURFACE, USED OR INSTALLED AT AN OIL AND GAS LOCATION FOR THE EXPLORATION, PRODUCTION, WITHDRAWAL, GATHERING, TREATMENT, OR PROCESSING OF OIL OR NATURAL GAS, INCLUDING FLOW LINES AND GATHERING AND TRANSMISSION PIPELINES, REGARDLESS OF WHETHER LOCATED UNDER OR NEAR A WELL PAD, TANK FARM, OR OTHER SURFACE FACILITY.

(6.4) "OIL AND GAS LOCATION" MEANS A DEFINABLE AREA WHERE AN OPERATOR HAS DISTURBED OR INTENDS TO DISTURB THE LAND SURFACE IN ORDER TO LOCATE AN OIL AND GAS FACILITY.

SECTION 4. In Colorado Revised Statutes, **add** 34-60-131 and 34-60-132 as follows:

34-60-131. Disclosure of location of subsurface oil and gas facilities - rules. (1) AN OPERATOR SHALL GIVE ELECTRONIC NOTICE, IN A FORMAT AND BY A DEADLINE ESTABLISHED BY THE COMMISSION BY RULE, OF THE LOCATION OF EACH SUBSURFACE OIL AND GAS FACILITY ASSOCIATED WITH AN OIL AND GAS FACILITY INSTALLED, OWNED, OR OPERATED BY THE OPERATOR TO:

(a) THE DIRECTOR; AND

(b) EACH LOCAL GOVERNMENT WITHIN WHOSE JURISDICTION THE SUBSURFACE OIL AND GAS FACILITY IS LOCATED.

(2) THE RULES MUST:

(a) DISTINGUISH BETWEEN SUBSURFACE OIL AND GAS FACILITIES THAT WERE CONSTRUCTED OR INSTALLED ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION FROM THOSE THAT WERE CONSTRUCTED OR

INSTALLED BEFORE THE EFFECTIVE DATE OF THIS SECTION;

(b) REQUIRE OPERATORS TO FILE THE NOTICE WITH REGARD TO A SUBSURFACE OIL AND GAS FACILITY THAT WAS CONSTRUCTED OR INSTALLED ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION WITHIN A DEFINED PERIOD OF TIME AFTER THE CONSTRUCTION OR INSTALLATION OF THE FACILITY;

(c) REQUIRE OPERATORS TO FILE THE NOTICE WITH REGARD TO A SUBSURFACE OIL AND GAS FACILITY THAT WAS CONSTRUCTED OR INSTALLED BEFORE THE EFFECTIVE DATE OF THIS SECTION WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION;

(d) REQUIRE THE OPERATOR TO SPECIFY WHETHER THE SUBSURFACE OIL AND GAS FACILITY IS ACTIVE, SHUT IN, OR ABANDONED; AND

(e) REQUIRE OPERATORS TO MAKE AN AFFIRMATIVE EFFORT TO LOCATE SUBSURFACE OIL AND GAS FACILITIES THAT THE OPERATOR INSTALLED, OWNS, OR OPERATES, REGARDLESS OF WHETHER:

(I) THE OPERATOR CONSTRUCTED OR INSTALLED THE FACILITY OR ACQUIRED IT FROM ANOTHER OPERATOR; OR

(II) THE FACILITY IS ACTIVE, SHUT IN, OR ABANDONED.

(3) THE DIRECTOR SHALL PROMPTLY POST THE INFORMATION ON THE COMMISSION'S WEBSITE IN A FORMAT THAT ALLOWS LOCAL GOVERNMENTS AND THE PUBLIC TO LOCATE SUBSURFACE OIL AND GAS FACILITIES THROUGH A SEARCHABLE DATABASE USING MAPPING AND GEOGRAPHIC INFORMATION SYSTEM SOFTWARE.

34-60-132. Disclosure of development plans. (1) A LOCAL GOVERNMENT MAY REQUEST AN OPERATOR TO PROVIDE, AND IF SO REQUESTED, THE OPERATOR SHALL PROVIDE, THE FOLLOWING INFORMATION TO THE LOCAL GOVERNMENT:

(a) BASED ON AN OPERATOR'S CURRENT BUSINESS PLAN AS OF THE DATE OF THE REQUEST, A GOOD-FAITH ESTIMATE OF THE NUMBER OF WELLS THE OPERATOR INTENDS TO DRILL IN THE NEXT FIVE YEARS WITHIN THE LOCAL GOVERNMENT'S JURISDICTION; AND

(b) A MAP SHOWING THE LOCATION WITHIN THE LOCAL GOVERNMENT'S JURISDICTION OF THE OPERATOR'S EXISTING WELL SITES AND RELATED OIL AND GAS FACILITIES; SITES FOR WHICH THE OPERATOR HAS APPROVED, OR HAS SUBMITTED APPLICATIONS FOR, DRILLING AND SPACING ORDERS; AND SITES THE OPERATOR HAS IDENTIFIED FOR DEVELOPMENT ON ITS CURRENT DRILLING SCHEDULE FOR WHICH IT HAS NOT YET SUBMITTED AN APPLICATION FOR COMMISSION PERMITS.

(2) AN OPERATOR SHALL PROVIDE THE WELL ESTIMATES REQUESTED PURSUANT TO THIS SECTION USING REASONABLE BUSINESS JUDGMENT BASED ON INFORMATION KNOWN TO THE OPERATOR AS OF THE DATE THE ESTIMATES ARE REQUESTED. WELL ESTIMATES ARE SUBJECT TO CHANGE AT ANY TIME AT THE OPERATOR'S SOLE DISCRETION.".

Renumber succeeding sections 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 was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Fields moved to amend the Report of the Committee of the Whole to show that the following Scott floor amendment, (L.016) to SB17-301, did not pass.

Amend printed bill, page 53, line 6, strike "(25)(a)" and substitute "(25)(a); and **add** (26)".

Page 53, line 9, after "2014," and substitute "THROUGH DECEMBER 31, 2017,".

Page 53, lines 10 and 11, strike "~~fifty~~ EIGHTY-FIVE" and substitute "fifty".

Page 53, line 13, strike "~~thirty~~ SIXTY-FIVE" and substitute "thirty".

Page 53, after line 16 insert:

"(26) (a) (I) BEGINNING JANUARY 1, 2017, IN ADDITION TO ANY OTHER FEE IMPOSED BY THIS SECTION, COUNTY CLERKS AND RECORDERS SHALL ANNUALLY COLLECT A FEE OF NINETY-FIVE DOLLARS AT THE TIME OF REGISTRATION ON EVERY BATTERY ELECTRIC MOTOR VEHICLE. COUNTY CLERKS AND RECORDERS SHALL TRANSMIT THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT SIXTY-FIVE DOLLARS OF EACH FEE TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201, AND THIRTY DOLLARS OF EACH FEE TO THE ELECTRIC VEHICLE GRANT FUND CREATED IN SECTION 24-38.5-103.

(II) BEGINNING JANUARY 1, 2017, IN ADDITION TO ANY OTHER FEE IMPOSED BY THIS SECTION, COUNTY CLERKS AND RECORDERS SHALL ANNUALLY COLLECT A FEE OF SIXTY-FIVE DOLLARS AT THE TIME OF REGISTRATION ON EVERY PLUG-IN HYBRID ELECTRIC MOTOR VEHICLE. COUNTY CLERKS AND RECORDERS SHALL TRANSMIT THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT THIRTY-FIVE DOLLARS OF EACH FEE TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201, AND THIRTY DOLLARS OF EACH FEE TO THE ELECTRIC VEHICLE GRANT FUND CREATED IN SECTION 24-38.5-103.

(b) THE DEPARTMENT OF REVENUE SHALL CREATE AN ELECTRIC VEHICLE DECAL, WHICH A COUNTY CLERK AND RECORDER SHALL GIVE TO EACH PERSON WHO PAYS THE FEE CHARGED UNDER THIS SUBSECTION (26). THE DECAL MUST BE ATTACHED TO THE UPPER RIGHT-HAND CORNER OF THE FRONT WINDSHIELD ON THE MOTOR VEHICLE FOR WHICH IT WAS ISSUED. IF THERE IS A CHANGE OF VEHICLE OWNERSHIP, THE DECAL IS TRANSFERABLE TO THE NEW OWNER.

(c) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(I) "BATTERY ELECTRIC MOTOR VEHICLE" MEANS A MOTOR VEHICLE THAT:

(A) CAN BE RECHARGED FROM ANY EXTERNAL SOURCE OF ELECTRICITY, WHERE THE ELECTRICITY IS STORED IN A RECHARGEABLE BATTERY PACK THAT PROPELS OR CONTRIBUTES TO PROPEL THE VEHICLE'S DRIVE WHEELS;

(B) DOES NOT HAVE AN ENGINE CAPABLE OF RUNNING ON A LIQUID FUEL SUCH AS GASOLINE, COMPRESSED NATURAL GAS, OR DIESEL FUEL; AND

(C) HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST FIFTY-FIVE MILES PER HOUR.

(II) "PLUG-IN ELECTRIC MOTOR VEHICLE" MEANS A MOTOR VEHICLE THAT:

(A) CAN BE RECHARGED FROM ANY EXTERNAL SOURCE OF ELECTRICITY, WHERE THE ELECTRICITY IS STORED IN A RECHARGEABLE BATTERY PACK THAT PROPELS OR CONTRIBUTES TO PROPEL THE VEHICLE'S DRIVE WHEELS;

(B) HAS AN ENGINE CAPABLE OF RUNNING ON A LIQUID FUEL SUCH AS GASOLINE, COMPRESSED NATURAL GAS, OR DIESEL FUEL; AND

(C) HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST FIFTY-FIVE MILES PER HOUR.".

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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

On motion of Senator Tate, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB17-275 as amended, SB17-021 as amended, SB17-301 as amended.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB17-1349, HB17-1343, HB17-1361, HB17-1353, HB17-1248, HB17-1285, HB17-1365, and HB17-1355 were made Special Orders -- Consent Calendar at 2:31 p.m.

Committee of the Whole

The hour of 2:31 p.m. having arrived, Senator Tate 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 Tate 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:

HB17-1349 by Representative(s) Pabon and Van Winkle; also Senator(s) Neville T. and Court--Concerning the establishment of the ratio of valuation for assessment for residential real property.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1343 by Representative(s) Young, Hamner, Rankin; also Senator(s) Moreno, Lambert, Lundberg--Concerning implementation of conflict-free case management for persons with intellectual and developmental disabilities who are eligible for home- and community-based services under the medicaid program, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1361 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning an independent evaluation of the state's information technology resources, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1353 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning implementing medicaid initiatives that create higher value in the medicaid program leading to better health outcomes for medicaid clients, and, in connection therewith, continuing the implementation of the accountable care collaborative and authorizing performance-based provider payments.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page 1084 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1248 by Representative(s) Arndt; also Senator(s) Cooke--Concerning the funding of Colorado water conservation board projects, and, in connection therewith, making appropriations.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 2, page 1030 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page 1085 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1285 by Representative(s) Mitsch Bush and Lawrence; also Senator(s) Cooke and Jahn--Concerning the financing of the water pollution control program, and, in connection therewith, making and reducing appropriations.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 2, page 1030 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1365 by Representative(s) Garnett and Nordberg; also Senator(s) Kefalas and Smallwood--Concerning an exemption from the prohibition against having electronic benefits transfer services available through an automated teller machine located on a liquor-licensed premises for an establishment licensed as a liquor-licensed drugstore.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1355 by Representative(s) Young; also Senator(s) Lundberg, Moreno, Priola--Concerning the use of money from the county block grant temporary assistance for needy families program for child care quality improvement activities.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Tate, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1349, HB17-1343, HB17-1361, HB17-1353 as amended, HB17-1248 as amended, HB17-1285 as amended, HB17-1365, HB17-1355.

Upon request of Majority Leader Holbert, **HB17-1303** was removed from the General Orders--Second Reading of Bills Consent Calendar of Tuesday, May 9, 2017, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, May 9, 2017.

CONSIDERATION OF RESOLUTIONS

HJR17-1029 by Representative(s) Becker K., Hansen, Winter; also Senator(s) Sonnenberg, Priola, Moreno--Concerning the designation of Interstate Highway 76 as the "Colorado Pollinator Highway".

On motion of Senator Sonnenberg, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Crowder, Donovan, Fenberg, Gardner, Holbert, Kefalas, Lambert, Martinez Humenik, Merrifield, Scott, Smallwood, Tate, Todd, Williams A., and Zenzinger.

SJR17-043 by Senator(s) Coram; also Representative(s) McLachlan--Concerning urging the Attorney General of Colorado to file a lawsuit against the federal Environmental Protection Agency for damages caused by the spill at the Gold King mine.

Amendment No. 1(L.002), by Senator Coram.

Amend printed resolution, page 1, strike lines 1 through 9.

Strike pages 2 through 4 and substitute:

"WHEREAS, On August 5, 2015, a contractor hired by the federal Environmental Protection Agency to perform mine reclamation work breached a tunnel wall at the Gold King mine above Silverton, Colorado, causing a massive spill of three million gallons of toxic wastewater to pour into Cement Creek and flow into the headwaters that feed into the Animas River; and

WHEREAS, The mustard-yellow-colored sludge, containing nearly nine hundred thousand pounds of heavy metals such as arsenic, lead, cadmium, copper, mercury, and zinc, poured into the waterways, causing widespread environmental damage and substantial economic harm to the citizens of Colorado; and

WHEREAS, The spill heavily contaminated the river water that is the lifeblood of certain Colorado communities, harming the environment, agricultural industry, wildlife, and tourism in the affected area; and

WHEREAS, The Colorado agricultural and Native American communities in the affected area depend on the Animas River for irrigation and drinking water contaminated by the spill; and

WHEREAS, On August 10, 2015, the Governor of Colorado issued executive order D 2015-007, declaring a state of emergency due to the Gold King mine spill, and the Southern Ute Tribe, La Plata and San Juan counties, and Durango and Silverton also declared disaster emergencies, highlighting the gravity and severity of the impacts on Cement Creek and the Animas River; and

WHEREAS, After the incident, local authorities closed the affected waterways to all uses, causing significant local economic damages; and

WHEREAS, The Governor's executive order D 2015-007 noted that: "The extreme flow rate of the plume caused significant damage to the Cement Creek stream bed resulting in sedimentation uptake and downstream deposits in both Cement Creek and the Animas River. All of these impacts require emergency action by the Southern Ute Tribe, the State of Colorado, and local officials to avert loss of life, injury, danger or damage, including but not limited to unknown economic, financial and natural resources impacts"; and

WHEREAS, The United States Department of the Interior, Bureau of Reclamation, issued a report entitled "Technical Evaluation of the Gold King Mine Incident", dated October 2015, and concluded that the spill was "preventable" and was caused by mistakes made by the federal Environmental Protection Agency and its contractor; and

WHEREAS, On August 11, 2015, then-EPA Administrator Gina McCarthy agreed without caveat to take "full responsibility" for causing the spill and for its impact on our state and local communities, and the Obama-era EPA also stated it would "expedite" resolution of "Federal Tort Claims Act" filings by Colorado citizens harmed by the spill; and

WHEREAS, On January 13, 2017, the *Denver Post* reported that an Environmental Protection Agency official, speaking on condition of anonymity, said that the Environmental Protection Agency had conducted a legal analysis and concluded that sovereign immunity protects the Environmental Protection Agency and that the Environmental Protection Agency had no legal authority to pay damages pursuant to the "Federal Tort Claims Act" unless Congress authorized a lawsuit; and

WHEREAS, The federal Environmental Protection Agency has actually paid some state and local government claims arising out of the Gold King mine spill but rejected "Federal Tort Claims Act" filings made by Colorado citizens and businesses harmed by the spill; and

WHEREAS, On January 13, 2017, a little more than eighteen months after the spill, then-Administrator McCarthy notified claimants that the federal Environmental Protection Agency determined that it is "not legally able" to pay compensation for administrative claims brought under the "Federal Tort Claims Act", further stating that the so-called "discretionary function exception" bars such claims and that the "circumstances surrounding the Gold King Mine incident unfortunately do not meet the conditions necessary to pay claims"; and

WHEREAS, The state of Colorado has been harmed by the actions of the federal Environmental Protection Agency in its handling of the Gold King mine spill, the federal Environmental Protection Agency admits its "full responsibility" for the spill, and the federal Environmental Protection Agency should be held accountable for its harmful actions; and

WHEREAS, The state should pursue the recovery of monetary damages caused to the state of Colorado for those injuries; and

WHEREAS, The General Assembly recognizes the separation of powers inherent between the legislative branch and the executive branch and acknowledges that the Attorney General has authority under section 24-31-101, Colorado Revised Statutes, to appear for the state and prosecute and defend all actions and proceedings, civil and criminal, in which the state is a party or is interested when required to do so by the Governor as legal counsel for the executive branch; and

WHEREAS, To date, the state of Colorado has not filed a lawsuit against the federal Environmental Protection Agency to recover damages as a result of the Gold King mine spill; now, therefore,

Be It Resolved by the Senate of the Seventy-first General Assembly of the State of Colorado, the House of Representatives concurring herein:

(1) That the General Assembly urges the Governor of Colorado, the Department of Public Health and Environment, and the Natural Resources Trustees, in consultation with the Colorado Attorney General, to sue the federal Environmental Protection Agency on behalf of the state of Colorado to seek compensation for the harm caused to the state by the Gold King mine spill; and

(2) That the General Assembly strongly urges and requests the Governor of Colorado, the Colorado Department of Public Health and Environment, and the Natural Resources Trustees, in consultation with the Attorney General of the state, to file a lawsuit against the federal Environmental Protection Agency to recover environmental and economic damages caused to the state and its citizens by the federal Environmental Protection Agency and its contractor as a result of the Gold King mine spill.

Be It Further Resolved, That copies of this Joint Resolution be sent to Governor John Hickenlooper, the Executive Director of the Colorado Department of Natural Resources, the Executive Director of the Colorado Department of Public Health and Environment, Attorney General Cynthia Coffman, and each member of Colorado's delegation to the United States Congress.".

Page 1, line 101, strike "**THE ATTORNEY GENERAL OF COLORADO**" and substitute "**COLORADO'S EXECUTIVE BRANCH**".

The amendment was read at length and **passed** on the following roll call vote:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	N	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

On motion of Senator Coram, the resolution, as amended, was **adopted** by the following roll call vote:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Holbert, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg, and Tate.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for a term expiring December 13, 2019:

Sarah Hayes of Lafayette, Colorado, representing executives with good risk management experience in the insurance industry, and as Democrat, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
GROUND WATER COMMISSION

for a term expiring May 1, 2020:

Steven Dale Kramer of Bethune, Colorado, a resident agriculturist from the Northern High Plains Basin, reappointed;

for terms expiring May 1, 2021:

Marc Christopher Arnusch of Keenesburg, Colorado, to serve as a resident agriculturist from the Lost Creek Basin, reappointed;

Gregory Larson of Haxtun, Colorado, a resident agriculturist from the Northern High Plains Basin, reappointed;

Scott W. Tietmeyer of Grover, Colorado, a resident agriculturist from the Upper Big Sandy Basin, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD

for a term expiring at the pleasure of the Governor:

Shepard J. Nevel of Denver, Colorado, to serve as the Chairman of the Hospital Provider Fee Oversight and Advisory Board, appointed;

for terms expiring May 15, 2021:

Shepard J. Nevel of Denver, Colorado, a representative of a business that purchases or otherwise provides health insurance for its employees, and who previously served as a representative of consumers, reappointed;

Lesley Clark Brooks, MD of Greeley, Colorado, to serve as a member of the health care industry who does not represent a hospital or health insurance carrier, appointed;

Matthew Steven Colussi of Aurora, Colorado, to serve as an employee of the state department, appointed;

Ryan Westrom of Aurora, Colorado, a member of a statewide organization of hospitals, appointed;

Allison Anna Neswood of Denver, Colorado, to serve as a representative of consumers, appointed;

Christopher Daniel Rieber, MBA, CPA of Castle Rock, Colorado, an employee of a safety-net hospital in Colorado, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
STATE BOARD OF HUMAN SERVICES

for a term expiring March 1, 2019:

Honorable Thomas Crawford Davidson of Dillon, Colorado to serve as a county commissioner as well as a family member of a person with a disability, appointed;

for terms expiring March 1, 2021:

Jeffrey Gordon Kuhr of Grand Junction, Colorado, a member of the public, reappointed;

Bernard A. Buescher of Grand Junction, Colorado, to serve as a member of the public, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB17-1155

****
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 HB17-1155, concerning the ability to cure campaign finance reporting deficiencies without penalty, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill, as the amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 4, strike lines 19 through 21 and substitute:

"ENTER OR IMPOSE A CIVIL PENALTY IN ACCORDANCE WITH THE FOLLOWING:

(A) IF THE AMOUNT OF THE PENALTY THAT HAS ACCRUED TO THAT POINT IN TIME IS LESS THAN FIVE THOUSAND DOLLARS, THE ADMINISTRATIVE LAW JUDGE SHALL IMPOSE A PENALTY IN THE AMOUNT OF THE PENALTY THAT HAS ACCRUED TO THAT POINT IN TIME.

(B) IF THE AMOUNT OF THE CIVIL PENALTY THAT HAS ACCRUED TO THAT POINT IN TIME IS FIVE THOUSAND OR MORE DOLLARS, THE ADMINISTRATIVE LAW JUDGE SHALL IMPOSE A PENALTY, IN HIS OR HER DISCRETION, IN AN AMOUNT THAT IS NOT LESS THAN FIVE THOUSAND DOLLARS.".

Respectfully submitted,

House Committee:
(signed)
Dan Thurlow, Chariman
Mike Weissman
Mike Foote

Senate Committee:
(signed)
Bob Gardner, Chairman
Ray Scott
Steve Fenberg

MESSAGE FROM THE REVISOR OF STATUTES

May 8, 2017

We herewith transmit:

Without comment, as amended, SB17-025, 028, 140, 192, 201, 207, 211, 236, 242, 249, and 294.

With comment, as amended, SB17-298.

MESSAGE FROM THE GOVERNOR

May 8, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-256: CONCERNING HOSPITAL REIMBURSEMENT RATES FOR THE 2017-18 STATE FISCAL YEAR.

Approved May 8, 2017 at 9:28 AM

Sincerely,
(signed)
John W. Hickenlooper
Governor

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1278** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1231** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 26, line 6, strike "THE" and substitute "(a) SUBJECT TO SUBSECTION (1)(b) OF THIS SECTION, THE".

Page 26, after line 12 insert:

"(b) THE COMMISSIONER SHALL FOCUS A MARKET CONDUCT EXAMINATION OF A COMPANY ON THE COMPANY'S GENERAL BUSINESS PRACTICES AND COMPLIANCE ACTIVITIES RATHER THAN INITIATING A MARKET CONDUCT EXAMINATION IN RESPONSE TO CLEARLY INFREQUENT OR UNINTENTIONAL RANDOM ERRORS THAT DO NOT CAUSE SIGNIFICANT CONSUMER HARM.".

Page 40, strike line 3 and substitute "THE COMMISSIONER SHALL CONSIDER:".

Page 40, after line 18 insert:

"(5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART 3 TO THE CONTRARY, THE COMMISSIONER SHALL NOT IMPOSE ANY FINE OR PENALTY ON ANY COMPANY FOR A VIOLATION OF ANY LAW, RULE, OR PRIOR LAWFUL ORDER OF THE COMMISSIONER IF THE VIOLATION AROSE FROM THE ACTION OR OMISSION OF A LICENSED, INDEPENDENT CONTRACTOR PRODUCER OF THE COMPANY AND THE PRODUCER IS SUBJECT TO EXAMINATION OR DISCIPLINARY PROCEEDINGS FOR ITS OWN VIOLATIONS, UNLESS THE COMMISSIONER MAKES A FINDING OF FACT THAT THE COMPANY KNEW OR REASONABLY SHOULD HAVE KNOWN OF THE VIOLATION AND FAILED TO TAKE ADEQUATE REMEDIAL ACTION TO CORRECT OR STOP THE VIOLATION.".

Finance

After consideration on the merits, the Committee recommends that **HB17-1360** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB17-1363** 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 **HB17-1367** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB17-1369** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1366** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB17-1371** 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 **HB17-1352** be postponed indefinitely.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR17-044 by Senator(s) Lundberg; also Representative(s) Saine--Concerning participation in a planning convention for an Article V Convention for proposing a balanced budget amendment to the United States Constitution.

Laid over one day under Senate Rule 30(b).

SJR17-045 by Senator(s) Holbert, Grantham, Guzman; also Representative(s) Becker K., Duran, Neville P.--Concerning the appointment of a joint committee to notify the governor that the first regular session of the seventy-first general assembly is about to adjourn sine die.

Laid over until Wednesday, May 10, retaining its place on the calendar.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, May 9, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

119th Legislative Day Tuesday, May 9, 2017

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 Priola.

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Monday, May 8, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SJR17-044 and 045.
Correctly Engrossed: SB17-021, 275, and 301; SJR17-043.
Correctly Reengrossed: SB17-012, 019, 183, 267, 296, 300, 304, 305, and 306.
Correctly Revised: HB17-1227, 1248, 1285, 1308, 1322, 1338, 1342, 1343, 1349, 1353, 1354, 1355, 1357, 1361, and 1365; HJR17-1029.
Correctly Rerevised: HB17-1289, 1332, and 1359.
Correctly Enrolled: SB17-074, 111, 129, 180, 280, 292, 295, and 297.

MESSAGE FROM THE HOUSE

May 8, 2017

Mr. President:

The House has postponed indefinitely SB17-288. The bill is returned herewith.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Representatives K. Becker and Saine will replace Representative J. Becker as House joint prime sponsors on SB17-301 with Senators Scott and Marble.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills -- Final Passage -- Consent Calendar (HB17-1322, HB17-1308, HB17-1338, HB17-1357, HB17-1354, HB17-1349, HB17-1343, HB17-1361, HB17-1353, HB17-1248, HB17-1285, HB17-1365, and HB17-1355) of Tuesday, May 9, 2017, was laid over until later in the day, retaining its place on the calendar.

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:

SB17-275 by Senator(s) Baumgardner and Jahn; also Representative(s) Melton and Singer--Concerning marijuana, and, in connection therewith, authorizing research regarding the safety and efficacy of medical marijuana and the safe and effective use of pesticides and establishing interim standards for the use of pesticides, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Fenberg, Fields, Garcia, Grantham, Guzman, Holbert, Jones, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Scott, Smallwood, Sonnenberg, Tate, Todd, and Williams A.

SB17-021 by Senator(s) Martinez Humenik; also Representative(s) Singer--Concerning reentry services for persons with mental illness in the criminal justice system.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fenberg, Fields, Garcia, Gardner, Kefalas, Kerr, Merrifield, Moreno, Priola, Smallwood, Tate, Todd, and Williams A.

SB17-301 by Senator(s) Scott and Marble; also Representative(s) Becker K. and Saine--Concerning energy-related statutes, and, in connection therewith, reducing an appropriation.

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.045), by Senator Scott.

Amend engrossed bill, page 4, line 14, strike "ANY RATE ADJUSTMENT." and substitute "BASE RATES.".

Page 51, line 27, strike "2017," and substitute "2018,".

Page 52, line 9, strike "2017," and substitute "2018,".

The amendment was **passed** on the following roll call vote:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	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: Baumgardner, Crowder, Gardner, Grantham, Holbert, Lambert, Lundberg, Neville T., Smallwood, Sonnenberg, and Tate.

RECONSIDERATION OF SB17-301

SB17-301 by Senator(s) Scott and Marble; also Representative(s) Becker K. and Saine--Concerning energy-related statutes, and, in connection therewith, reducing an appropriation.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on **SB17-301**.

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)

SB17-301 by Senator(s) Scott and Marble; also Representative(s) Becker K. and Saine--Concerning energy-related statutes, and, in connection therewith, reducing an appropriation.

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	N	Zenzinger	N
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	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: Coram and Priola.

COMMITTEE OF REFERENCE REPORTS

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1369** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1367** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1360** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1351** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 7, after line 18 insert:

"**SECTION 4.** In Colorado Revised Statutes, 39-28.8-501, **add** (4)(e) as follows:

39-28.8-501. Marijuana tax cash fund - creation - distribution - legislative declaration. (4) The state treasurer shall make the following transfers from the fund to the general fund:

(e) ON JUNE 30, 2018, THIRTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS FOR THE PURPOSE SPECIFIED IN SECTION 25.5-4-212.".

Renumber succeeding sections accordingly.

Page 7, line 21, strike "marijuana tax cash fund created" and substitute "general fund.".

Page 7, line 22, strike "in section 39-28.8-501 (1), C.R.S.".

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1315** 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 **HB17-1278** be postponed indefinitely.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1277** 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 **HB17-1266** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1119** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1090** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB17-1002** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB17-045** be postponed indefinitely.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB17-1239.

Upon request of Majority Leader Holbert, **HB17-1204** was removed from the General Orders--Second Reading of Bills Consent Calendar of Tuesday, May 9, 2017, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, May 9, 2017.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB17-1043 by Representative(s) Navarro and Gray; also Senator(s) Priola and Williams A.--Concerning an extension of the scheduled repeal date for uniform commercial code filing fees to provide funding for the Colorado fraud investigators unit.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 4, page 1077 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1116 by Representative(s) Hamner and Exum, Becker J., Esgar, Covarrubias; also Senator(s) Martinez Humenik, Donovan, Priola--Concerning the continuation of energy-related assistance to low-income households.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1216 by Representative(s) Kraft-Tharp and Sias; also Senator(s) Neville T. and Jahn--Concerning the creation of the sales and use tax simplification task force, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1276 by Representative(s) Lontine; also Senator(s) Fields and Gardner--Concerning prohibiting the use of certain restraints upon public school students, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 4, page 1071 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1326 by Representative(s) Lee, Exum, Melton; also Senator(s) Gardner and Kagan, Merrifield, Priola--Concerning creation of the justice reinvestment crime prevention initiative, and, in connection therewith, funding the initiative through savings created by parole reforms and making and reducing an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page 1096 and placed in members' bill files.)

Amendment No. 2(L.004), by Senator Gardner.

Amend reengrossed bill, page 15, line 16, after "DIVISION" insert "AND THE OFFICE OF STATE PLANNING AND BUDGETING".

Page 15, line 23, strike "INITIATIVES." and substitute "INITIATIVES;".

Page 15, after line 23 insert:

"(VI) COLLABORATING WITH THE OFFICE OF STATE PLANNING AND BUDGETING TO PROVIDE INFORMATION AND RESEARCH TO LOCAL PLANNING TEAMS REGARDING BEST PRACTICES AND EFFECTIVE PROGRAMS FOR COMMUNITY DEVELOPMENT AND CRIME PREVENTION.".

Page 17, after line 19 insert:

"(5) (a) THE PAROLE SAVINGS FUND, REFERRED TO IN THIS SUBSECTION (5) AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY GENERATED BY SAVINGS CREATED IN ENACTING HOUSE BILL 17-1326 AND APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY.

(b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(c) THE STATE TREASURER SHALL TRANSFER ANY UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND AT THE END OF A FISCAL YEAR TO THE GENERAL FUND.

(d) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE DIVISION OF LOCAL GOVERNMENT MAY EXPEND MONEY FROM THE FUND TO PROVIDE SMALL BUSINESS LENDING AND GRANTS AIMED AT REDUCING CRIME AND PROMOTING COMMUNITY DEVELOPMENT IN THE TARGET COMMUNITIES OF NORTH AURORA AND SOUTHEAST COLORADO SPRINGS.

(e) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE DEPARTMENT OF CORRECTIONS MAY EXPEND MONEY FROM THE FUND FOR EXTERNAL CAPACITY IF THE ANTICIPATED REDUCTION IN THE USE OF PRIVATE PRISON BEDS FROM THE PAROLE CHANGES ENACTED IN HOUSE BILL 17-1326 ARE NOT ACHIEVED.".

Page 19, strike lines 6 and 7 and substitute:

"(b) $1,000,000 for use by the division of local government for small business lending;

(c) $3,000,000 for use by the division of local government for grant funding;

(d) $1,761,140 to the parole savings fund created in section 24-32-118 (5);".

Reletter succeeding paragraphs accordingly.

Page 19, line 12, strike "(4)(c)" and substitute "(4)(e)".

Page 19, line 24, strike "(4)(d)" and substitute "(4)(f)".

Amend the Appropriations Committee Report, dated May 5, 2017, page 1, strike line 13.

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1296 by Representative(s) Nordberg and Kraft-Tharp, Saine, Winter; also Senator(s) Smallwood and Jahn, Donovan, Neville T.--Concerning the assignment of state-owned motor vehicles, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

SB17-155 by Senator(s) Tate; also Representative(s) Saine--Concerning the statutory definition of a construction defect for purposes of the "Construction Defect Action Reform Act".

Laid over until Thursday, May 11.

HB17-1306 by Representative(s) McLachlan and Exum; also Senator(s) Coram--Concerning the financing of testing for lead in public schools' drinking water, and, in connection therewith, making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, May 3, page 1056 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1303 by Representative(s) Wist and Lee, Van Winkle; also Senator(s) Gardner and Kagan, Cooke--Concerning the judicial performance evaluation system, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 4, page 1075 and placed in members' bill files.)

Amendment No. 2(L.031), by Senator Gardner.

Amend reengrossed bill, page 9, line 6, strike "NONATTORNEY" and substitute "TWO NONATTORNEYS".

Page 9, line 27, strike "NONATTORNEY" and substitute "TWO NONATTORNEYS".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1204 by Representative(s) Lee; also Senator(s) Cooke--Concerning juvenile delinquency record expungement, and, in connection therewith, making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1056-1059 and placed in members' bill files.)

Amendment No. 2(L.035), by Senator Cooke.

Amend the Judiciary Committee Report, dated May 3, 2017, page 1, strike line 4.

Page 1, line 17, after "OFFICE," insert "THE DIVISION OF YOUTH CORRECTIONS,".

Page 2, line 18, strike "(6)" and substitute "(6)(e)".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1282 by Representative(s) Ginal; also Senator(s) Sonnenberg, Kefalas--Concerning the creation of a veterinary education loan repayment program to assist veterinarians with education loan repayments in exchange for providing veterinary services in rural areas of the state in need of veterinary services.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, April 28, page 961 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page 1096 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

Majority Leader Holbert moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 11:00 a.m. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

MESSAGE FROM THE HOUSE

May 9, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1031, as printed in House Journal, May 9, 2017.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR17-1031 by Representative(s) Nordberg and Exum, Carver; also Senator(s) Gardner and Merrifield--Concerning the designation of the Cimarron Avenue bridge spanning Interstate 25 in Colorado Springs as the "Lieutenant James "Jim" Downing Bridge".

On motion of Senator Gardner, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (SJR17-044) of Tuesday, May 9, 2017, was laid over until later in the day, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-025 by Senator(s) Holbert and Baumgardner; also Representative(s) Singer--Concerning the development of marijuana education materials, and, in connection therewith, making an appropriation.

Senator Holbert moved that the Senate concur in House amendments to **SB17-025**, as printed in House journal, May 5, page 1314. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-028 by Senator(s) Gardner; also Representative(s) Nordberg and Exum--Concerning the promotion of healthy families through the sharing of information related to investigations of child abuse or neglect between departments of human services and military installations when a person affiliated with the military installation is involved with the investigation, and, in connection therewith, making an appropriation.

Senator Gardner moved that the Senate concur in House amendments to **SB17-028**, as printed in House journal, May 5, page(s) 1314-1315. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-201 by Senator(s) Cooke and Fields; also Representative(s) Lee--Concerning the continuation of the domestic violence offender management board, and, in connection therewith, implementing the recommendations of the 2016 sunset report issued by the department of regulatory agencies.

Senator Fields moved that the Senate concur in House amendments to **SB17-201**, as printed in House journal, May 5, page 1315. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-236 by Senator(s) Coram; also Representative(s) Weissman--Concerning the continuation of the regulation of bail bonding agents regulated by article 23 of title 10, Colorado revised statutes, by the division of insurance, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.

Senator Coram moved that the Senate concur in House amendments to **SB17-236**, as printed in House journal, May 5, page(s) 1315-1316. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-207 by Senator(s) Kagan and Cooke, Jahn; also Representative(s) Salazar and Sias, Kraft-Tharp, Landgraf--Concerning strengthening Colorado's statewide response to behavioral health crises, and, in connection therewith, making an appropriation.

Senator Kagan moved that the Senate concur in House amendments to **SB17-207**, as printed in House journal, May 5, page 1316. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-249 by Senator(s) Smallwood and Williams A.; also Representative(s) Ginal--Concerning the continuation of the division of insurance, and, in connection therewith, implementing the recommendations contained in the 2016 sunset report by the department of regulatory agencies.

Senator Williams moved that the Senate not concur in House amendments to **SB17-249**, as printed in House journal, May 5, page 1316, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senators Smallwood, Chair, Tate, and Williams were appointed as Senate conferees on the first conference committee on **SB17-249**.

SB17-211 by Senator(s) Scott; also Representative(s) Lawrence and Kraft-Tharp--Concerning a requirement that a state agency accept the full amount of a bid security bond issued by a surety company to a prospective contractor for a public project.

Senator Scott moved that the Senate concur in House amendments to **SB17-211**, as printed in House journal, May 5, page 1317. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-140 by Senator(s) Sonnenberg; also Representative(s) Arndt and Becker J.--Concerning the Torrens title registration system.

Senator Sonnenberg moved that the Senate concur in House amendments to **SB17-140**, as printed in House journal, May 5, page 1317. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-294 by Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan; also Representative(s) Lee, Foote, Herod, Willett, Wist--Concerning the nonsubstantive revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, imperfect, and inoperative law to preserve the legislative intent, effect, and meaning of the law.

Senator Gardner moved that the Senate concur in House amendments to **SB17-294**, as printed in House journal, May 5, page(s) 1318-1319. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-192 by Senator(s) Neville T., Jahn, Priola, Williams A.; also Representative(s) Melton and Singer--Concerning provisions to allow marijuana businesses to operate more efficiently, and, in connection therewith, making an appropriation.

Senator Neville moved that the Senate concur in House amendments to **SB17-192**, as printed in House journal, May 5, page(s) 1317-1318. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Holbert, Marble, Sonnenberg, Tate, and Todd.

RECONSIDERATION OF SB17-192

SB17-192 by Senator(s) Neville T., Jahn, Priola, Williams A.; also Representative(s) Melton and Singer--Concerning provisions to allow marijuana businesses to operate more efficiently, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Consideration of House Amendments to Senate Bills -- Repassage, on **SB17-192**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS (cont'd)

SB17-192 by Senator(s) Neville T., Jahn, Priola, Williams A.; also Representative(s) Melton and Singer--Concerning provisions to allow marijuana businesses to operate more efficiently, and, in connection therewith, making an appropriation.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	N
Court	N	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-242 by Senator(s) Martinez Humenik; also Representative(s) Ginal and Ransom--Concerning modernizing terminology in the Colorado Revised Statutes related to behavioral health.

Senator Martinez Humenik moved that the Senate concur in House amendments to **SB17-242**, as printed in House journal, May 5, page 1319. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-298 by Senator(s) Tate; also Representative(s) Kraft-Tharp--Concerning the relationship between a motor vehicle manufacturer and the motor vehicle dealers that have franchise agreements with the manufacturer.

Senator Tate moved that the Senate concur in House amendments to **SB17-298**, as printed in House journal, May 5, page(s) 1323-1324. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Gardner.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB17-1155 by Representative(s) Thurlow; also Senator(s) Gardner--Concerning the ability to cure campaign finance reporting deficiencies without penalty.

Senator Gardner moved for the adoption of the first report of the first conference committee on **HB17-1155**, as printed in Senate journal, May 8, page(s) 1160-1161. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1322 by Representative(s) Esgar and Landgraf; also Senator(s) Donovan and Lundberg--Concerning an exception to the requirement that certain medical professionals report to law enforcement concerning injuries resulting from domestic violence.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Kefalas, Kerr, Martinez Humenik, Merrifield, Smallwood, Tate, and Todd.

HB17-1308 by Representative(s) Salazar and Sias; also Senator(s) Kagan and Cooke--Concerning allowing individualized conditions of parole.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jahn, Kerr, Moreno, Neville T., Smallwood, and Tate.

HB17-1338 by Representative(s) Bridges and Liston; also Senator(s) Marble and Kagan--Concerning a requirement for a timely hearing for a defendant in jail with a municipal court hold.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Jahn, and Tate.

HB17-1357 by Representative(s) Pabon; also Senator(s) Cooke and Williams A.--Concerning modifications to the skilled worker training program administered by the department of labor and employment.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kerr, Moreno, Tate, and Todd.

HB17-1354 by Representative(s) Becker K.; also Senator(s) Priola and Kefalas--Concerning the collection of delinquent taxes on certain mobile homes.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Fenberg, Fields, Jones, Martinez Humenik, Merrifield, Moreno, and Tate.

HB17-1349 by Representative(s) Pabon and Van Winkle; also Senator(s) Neville T. and Court--Concerning the establishment of the ratio of valuation for assessment for residential real property.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Grantham, Jahn, and Tate.

HB17-1343 by Representative(s) Young, Hamner, Rankin; also Senator(s) Moreno, Lambert, Lundberg--Concerning implementation of conflict-free case management for persons with intellectual and developmental disabilities who are eligible for home- and community-based services under the medicaid program, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Court, Crowder, Fields, Jahn, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Todd, and Zenzinger.

HB17-1361 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning an independent evaluation of the state's information technology resources, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Hill, Jahn, Martinez Humenik, and Tate.

HB17-1353 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning implementing medicaid initiatives that create higher value in the medicaid program leading to better health outcomes for medicaid clients, and, in connection therewith, continuing the implementation of the accountable care collaborative and authorizing performance-based provider payments.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Fields, Garcia, Guzman, Jahn, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Smallwood, Tate, Todd, and Williams A.

HB17-1248 by Representative(s) Arndt; also Senator(s) Cooke--Concerning the funding of Colorado water conservation board projects, and, in connection therewith, making appropriations.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Gardner, Jones, Kagan, Martinez Humenik, Moreno, Tate, and Zenzinger.

HB17-1285 by Representative(s) Mitsch Bush and Lawrence; also Senator(s) Cooke and Jahn--Concerning the financing of the water pollution control program, and, in connection therewith, making and reducing appropriations.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Kagan, Kefalas, Martinez Humenik, Merrifield, Moreno, and Tate.

HB17-1365 by Representative(s) Garnett and Nordberg; also Senator(s) Kefalas and Smallwood--Concerning an exemption from the prohibition against having electronic benefits transfer services available through an automated teller machine located on a liquor-licensed premises for an establishment licensed as a liquor-licensed drugstore.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Kagan, Moreno, Priola, Tate, and Williams A.

HB17-1355 by Representative(s) Young; also Senator(s) Lundberg, Moreno, Priola--Concerning the use of money from the county block grant temporary assistance for needy families program for child care quality improvement activities.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Fields, Jones, Kefalas, Kerr, Lambert, Martinez Humenik, and Todd.

Committee of the Whole reconvened.

Committee of the Whole

On motion of Senator Hill, the Senate re-resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS (cont'd)

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:

SB17-303 by Senator(s) Neville T. and Cooke, Gardner, Holbert, Marble, Priola, Scott, Smallwood, Tate; also Representative(s) Neville P. and Wist, Buck, Carver, Everett, Humphrey, Leonard, McKean, Navarro, Nordberg, Ransom, Saine, Van Winkle, Wilson--Concerning the funding of the state highway system.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1033-1042 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 5, page 1083 and placed in members' bill files.)

As amended, laid over until Thursday, May 11.

(For further action, see amendments to the report of the Committee of the Whole.)

HB17-1329 by Representative(s) Lee and Landgraf, Covarrubias, McKean, Lawrence, Garnett, Herod, Kraft-Tharp, Singer, Thurlow, Wilson; also Senator(s) Kagan and Coram--Concerning the treatment of youths within the division of youth corrections, and, in connection therewith, renaming the division the "division of youth services", clarifying the rehabilitative purpose of the division, establishing a pilot program to initiate a cultural change within the division, clarifying the manner in which the division shall report data concerning critical incidents, renaming and expanding the role of the youth seclusion working group, requiring an independent assessment of the division, creating community boards in each region of the division, requiring the state auditor to audit certain reports of the division, and making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 4, page 1071 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate journal, May 5, page(s) 1131-1132, was **lost**.)

Amendment No. 3(L.012), by Senator Kagan.

Amend the State, Veterans, & Military Affairs Committee Report, dated May 3, 2017, page 1, strike line 7 and substitute "HUMAN SERVICES.".

Page 1, line 8, strike "FACILITY.".

Amendment No. 4(L.020), by Senator Kagan.

Amend reengrossed bill, page 21, line 14, strike "AND".

Page 21, line 20, strike "DESIGNEE." and substitute "DESIGNEE; AND".

Page 21, after line 20 insert:

"(i) A PERSON WHO WAS ONCE COMMITTED TO THE CUSTODY OF THE DIVISION OF YOUTH SERVICES OR A PARENT OF SUCH A PERSON.".

Amendment No. 5(L.015), by Senator Gardner.

Amend reengrossed bill, page 26, after line 3 insert:

"**SECTION 10.** In Colorado Revised Statutes, 19-2-921, **add** (12) as follows:

19-2-921. Commitment to department of human services. (12) (a) UPON A COURT ORDER, THE DEPARTMENT OF HUMAN SERVICES MAY TRANSFER TO THE DEPARTMENT OF CORRECTIONS AN INDIVIDUAL WHO IS AT LEAST EIGHTEEN YEARS OF AGE AND WHO IS COMMITTED TO THE CUSTODY OF THE DEPARTMENT OF HUMAN SERVICES IF:

(I) THE INDIVIDUAL IS CONVICTED OF COMMITTING ANY OF THE FOLLOWING OFFENSES IN A DIVISION OF YOUTH SERVICES FACILITY:

(A) POSSESSION OF CONTRABAND IN THE FIRST DEGREE, AS DESCRIBED IN SECTION 18-8-204.1, WHEN THE CONTRABAND AT ISSUE IS A DEADLY WEAPON, AS DEFINED IN SECTION 18-1-901 (3)(e);

(B) ANY CRIME OF VIOLENCE, AS DEFINED IN SECTION 18-1.3-406 (2);

(C) ASSAULT, AS DESCRIBED IN SECTION 18-3-202, 18-3-203, OR 18-3-204; OR

(D) ANY OFFENSE DESCRIBED IN ARTICLE 18 OF TITLE 18 FOR THE POSSESSION OR DISTRIBUTION OF A CONTROLLED SUBSTANCE; AND

(II) THE DEPARTMENT OF HUMAN SERVICES HAS CERTIFIED THAT THE INDIVIDUAL:

(A) IS NO LONGER BENEFITTING FROM ITS PROGRAMS; OR

(B) IS UNFIT OR UNSAFE FOR CONTINUED PLACEMENT IN A JUVENILE FACILITY.

(b) THE DEPARTMENT OF HUMAN SERVICES SHALL INITIATE A TRANSFER DESCRIBED IN SUBSECTION (12)(a) OF THIS SECTION BY FILING A REQUEST WITH THE COURT OF COMMITMENT, WHICH REQUEST MUST STATE THE BASIS FOR THE REQUEST. UPON RECEIPT OF SUCH A REQUEST, THE COURT SHALL NOTIFY THE INTERESTED PARTIES AND SET THE MATTER FOR A HEARING.

(c) THE COURT SHALL ORDER A TRANSFER DESCRIBED IN SUBSECTION (12)(a) OF THIS SECTION UPON A FINDING BY A PREPONDERANCE OF THE EVIDENCE THAT THE INDIVIDUAL:

(I) IS NO LONGER BENEFITTING FROM THE PROGRAMS OF THE DEPARTMENT OF HUMAN SERVICES; OR

(II) IS UNFIT OR UNSAFE FOR CONTINUED PLACEMENT IN A JUVENILE FACILITY.

(d) IF THE COURT ORDERS AN INDIVIDUAL BACK TO THE CUSTODY OF THE DEPARTMENT OF HUMAN SERVICES, THE COURT SHALL MAKE A FINAL DETERMINATION THAT THE INDIVIDUAL:

(I) IS SAFE AND APPROPRIATE TO RETURN TO A JUVENILE FACILITY; AND

(II) DOES NOT POSE A SAFETY CONCERN TO OTHER YOUTH OR STAFF UPON RETURNING TO SUCH CUSTODY.

(e) UPON ENTERING AN ORDER FOR A TRANSFER DESCRIBED IN SUBSECTION (12)(a) OF THIS SECTION, THE COURT SHALL ISSUE A MITTIMUS TRANSFERRING ALL FURTHER JURISDICTION OVER THE INDIVIDUAL TO THE DEPARTMENT OF CORRECTIONS AND SHALL INDICATE ON SUCH MITTIMUS WHETHER THE REMAINING JUVENILE SENTENCE SHALL BE SERVED CONSECUTIVELY OR CONCURRENTLY. THEREAFTER, THE INDIVIDUAL'S JUVENILE SENTENCE WILL BE GOVERNED BY THE PROVISIONS OF TITLES 16 AND 17 AS IF HE OR SHE HAD BEEN SENTENCED AS AN ADULT OFFENDER FOR THE UNSERVED PORTION OF HIS OR HER JUVENILE SENTENCE.

(f) THE DEPARTMENT OF CORRECTIONS IS AN INTERESTED PARTY AT ANY HEARING HELD PURSUANT TO THIS SUBSECTION (12), AND THE COURT, PURSUANT TO SUBSECTION (12)(b) OF THIS SECTION, SHALL SEND NOTICE OF ANY SUCH HEARING TO THE DEPARTMENT OF CORRECTIONS.".

Renumber succeeding sections accordingly.

Amendment No. 6(L.022), by Senator Kagan.

Amend reengrossed bill, page 17, line 16, after "WHO IS" insert "AT LEAST TEN YEARS OF AGE BUT".

As amended, ordered revised 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.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB17-303 by Senator(s) Neville T. and Cooke, Gardner, Holbert, Marble, Priola, Scott, Smallwood, Tate; also Representative(s) Neville P. and Wist, Buck, Carver, Everett, Humphrey, Leonard, McKean, Navarro, Nordberg, Ransom, Saine, Van Winkle, Wilson--Concerning the funding of the state highway system.

Senator Zenzinger moved to amend the Report of the Committee of the Whole to show that the following Zenzinger floor amendment, (L.017) to SB17-303, did pass.

Amend the Finance Committee Report, dated May 2, 2017, page 2, strike lines 8 through 37.

Strike pages 3 through 9.

Page 10, strike lines 1 through 7.

Page 10, strike lines 14 through 36.

Strike pages 11 through 14.

Page 15, strike lines 1 through 20.

Page 15, strike lines 28 through 32.

Page 16, strike lines 1 through 5.

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 was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

HB17-1329 by Representative(s) Lee and Landgraf, Covarrubias, McKean, Lawrence, Garnett, Herod, Kraft-Tharp, Singer, Thurlow, Wilson; also Senator(s) Kagan and Coram--Concerning the treatment of youths within the division of youth corrections, and, in connection therewith, renaming the division the "division of youth services", clarifying the rehabilitative purpose of the division, establishing a pilot program to initiate a cultural change within the division, clarifying the manner in which the division shall report data concerning critical incidents, renaming and expanding the role of the youth seclusion working group, requiring an independent assessment of the division, creating community boards in each region of the division, requiring the state auditor to audit certain reports of the division, and making an appropriation.

Senator Lambert moved to amend the Report of the Committee of the Whole to show that the Appropriations Committee Report to HB17-1329, as amended, did pass.

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 was **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	Y	Tate	N
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hill, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1043 as amended, HB17-1116, HB17-1216, HB17-1276 as amended, HB17-1326 as amended, HB17-1296, HB17-1306 as amended, HB17-1303 as amended, HB17-1204 as amended, HB17-1282 as amended, HB17-1329 as amended.
Laid over until Thursday, May 11: SB17-155, SB17-303 as amended.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB17-1004

****
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 HB17-1004, concerning a statewide policy for awarding college credit for military education and training, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendment made to the bill, as the amendment appears in the rerevised bill, with the following changes:

Amend rerevised bill, page 4, line 9, strike "DESIGNATION." and substitute "DESIGNATION THAT REQUIRES EACH CAMPUS TO ACCEPT IN TRANSFER CREDIT AWARDED BY A STATE INSTITUTION OF HIGHER

EDUCATION PURSUANT TO THE PROVISIONS OF SUBSECTION (2)(a) OF THIS SECTION.".

Respectfully submitted,

House Committee:	Senate Committee:
(signed)	(signed)
Dafna Michaelson Jenet, Chariman	Owen Hill, Chairman
Jessie Danielson	Bob Gardner
Lang Sias	Leroy Garcia

MESSAGE FROM THE HOUSE

May 9, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1373.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1091, amended as printed in House Journal, May 8, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB17-1375, amended on Third Reading as printed in House Journal, May 9, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

May 9, 2017

We herewith transmit:

Without comment, HB17-1373.
Without comment, as amended, HB17-1091.
Without comment, as amended, HB17-1375.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB17-1091 by Representative(s) Wilson and McLachlan; also Senator(s) Coram and Donovan--Concerning the creation of a credit against the state income tax to promote employer-assisted housing projects in rural areas.
Finance

HB17-1373 by Representative(s) Hansen and Bridges; also Senator(s) Moreno--Concerning general fund transfers to two Colorado energy office cash funds.
State, Veterans, & Military Affairs

HB17-1375 by Representative(s) Pettersen and Sias; also Senator(s) Hill and Williams A.--Concerning measures to increase transparent equity in educating students in public schools, and, in connection therewith, requiring school districts to distribute mill levy revenue to meet the needs of students, creating a fund to provide equalizing money to institute charter schools, and requiring school districts and charter schools to post a list of statutory waivers received.
State, Veterans, & Military Affairs

MESSAGE FROM THE HOUSE

May 9, 2017

The House has passed on Third Reading and returns herewith SB17-302, 304.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-240, amended as printed in House Journal, May 8, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-306, amended as printed in House Journal, May 8, 2017, and amended on Third Reading as printed in House Journal, May 9, 2017.

Upon request of Majority Leader Holbert, **HB17-1208** and **HB17-1363** were removed from the General Orders--Second Reading of Bills Consent Calendar of Wednesday, May 10, 2017, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Wednesday, May 10, 2017.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Finance — After consideration on the merits, the Committee recommends that **HB17-1091** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1375** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB17-1373** be postponed indefinitely.

Trans-portation — The Committee on Transportation has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE
TRANSPORTATION COMMISSION

for a term expiring July 1, 2017:

Karen Dona Stuart of Broomfield, Colorado, to serve as a commissioner from the Fourth Transportation District, and occasioned by the resignation of Heather M. Barry of Westminster, Colorado, appointed;

for a term expiring July 1, 2021:

Karen Dona Stuart of Broomfield, Colorado, to serve as a commissioner from the Fourth Transportation District, reappointed.

MESSAGE FROM THE HOUSE

May 9, 2017

Mr. President:

The House has postponed indefinitely SB17-061. The bill is returned herewith.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and referred to the committees indicated:

HJR17-1032 by Representative(s) Bridges and Wist, Salazar; also Senator(s) Cooke and Fenberg--Concerning the protection of online privacy for Colorado citizens.

Laid over until later in the day.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB17-1270 by Representative(s) Kraft-Tharp and Lawrence, Duran, Gray, Landgraf; also Senator(s) Williams A. and Coram--Concerning agency discretion in enforcement procedures for minor violations of certain state rules by small businesses employing no more than fifty employees.
Appropriations

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate granted leave pursuant to Senate Rule 21 (c) for the Committee on Appropriations to meet in the well of the Senate.

Senate in recess. Senate reconvened.

CONSIDERATION OF RESOLUTIONS

SJR17-044 by Senator(s) Lundberg; also Representative(s) Saine--Concerning participation in a planning convention for an Article V Convention for proposing a balanced budget amendment to the United States Constitution.

On motion of Senator Lundberg, the resolution was **lost** by the following roll call vote:

YES	11	NO	24	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	N
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	N	Marble	Y	Tate	Y
Court	N	Holbert	N	Martinez Humenik	N	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	N	President	Y
Fields	N	Kefalas	Y	Priola	Y		

HJR17-1032 by Representative(s) Bridges and Wist, Salazar; also Senator(s) Cooke and Fenberg--Concerning the protection of online privacy for Colorado citizens.

On motion of Senator Fenberg, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Court, Fields, Guzman, Hill, Holbert, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Smallwood, Tate, Todd, Williams A., and Zenzinger.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB17-1346, HB17-1371, HB17-1277, and HB17-1315 were made Special Orders -- Consent Calendar at 2:45 p.m.

Committee of the Whole

The hour of 2:45 p.m. having arrived, Senator Hill moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Hill 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:

HB17-1346 by Representative(s) Lontine; also Senator(s) Hill--Concerning the sale of more than fifteen acres of land at the Colorado mental health institute at Fort Logan to the United States department of veterans affairs for the expansion of Fort Logan national cemetery.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1371 by Representative(s) Lee; also Senator(s) Cooke--Concerning the distribution of medications to outlets that are under common ownership of certain entities.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1277 by Representative(s) Mitsch Bush; also Senator(s) Martinez Humenik--Concerning the authority of the department of revenue to suspend the driver's license of a driver who leaves the scene of an accident involving serious bodily injury.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1315 by Representative(s) Singer and Lawrence; also Senator(s) Gardner and Fields--Concerning the acquisition of data to analyze the types of DUI offenses being committed by offenders and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1132 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 -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Hill, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1346, HB17-1371, HB17-1277, HB17-1315 as amended.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB17-1340, HB17-1356, HB17-1313, HB17-1284, HB17-1264, HB17-1162, HB17-1079, HB17-1231, HB17-1002, HB17-1090, HB17-1119, HB17-1266, HB17-1351, HB17-1360, HB17-1367, HB17-1369, HB17-1208, HB17-1363, and HB17-1375 were made Special Orders at 2:49 p.m.

Committee of the Whole

The hour of 2:49 p.m. having arrived, Senator Hill moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Hill 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:

HB17-1340 by Representative(s) Lundeen and Garnett; also Senator(s) Hill and Moreno--Concerning creation of a legislative interim committee to study school finance issues, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1375 by Representative(s) Pettersen and Sias; also Senator(s) Hill and Williams A.--Concerning measures to increase transparent equity in educating students in public schools, and, in connection therewith, requiring school districts to distribute mill levy revenue to meet the needs of students, creating a fund to provide equalizing money to institute charter schools, and requiring school districts and charter schools to post a list of statutory waivers received.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1356 by Representative(s) Duran and Esgar, Covarrubias, Garnett, Kraft-Tharp, Lawrence, Pabon, Van Winkle; also Senator(s) Tate and Garcia--Concerning the temporary authority of the Colorado economic development commission to allow certain businesses to treat specific existing income tax credits differently.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1313 by Representative(s) Herod and Humphrey, Lebsock, Van Winkle, Leonard, Coleman, Esgar, Hooton, McKean, Melton, Neville P., Pettersen, Saine, Salazar, Williams D.; also Senator(s) Neville T. and Kagan, Marble, Lundberg, Cooke, Hill, Aguilar, Court, Fenberg, Grantham, Guzman, Holbert, Jahn, Kefalas, Kerr, Lambert, Merrifield, Moreno, Priola, Scott, Smallwood, Tate, Todd, Williams A., Zenzinger--Concerning civil forfeiture reform, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 5, page 1082 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 8, page 1135 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1284 by Representative(s) Lontine; also Senator(s) Aguilar and Gardner--Concerning protecting at-risk adults from mistreatment by establishing a check of the Colorado adult protective services data system for persons employed to provide direct care to at-risk adults, and, in connection therewith, making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, May 1, page(s) 1008-1009 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, May 5, page 1082 and placed in members' bill files.)

Amendment No. 3(L.015), by Senator Gardner.

Amend reengrossed bill, page 11, line 3, strike "EMPLOYER" and substitute "EMPLOYER, OR A PERSON OR ENTITY CONDUCTING EMPLOYEE SCREENING ON BEHALF OF THE EMPLOYER,".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1264 by Representative(s) Ginal and Lawrence, Kennedy; also Senator(s) Martinez Humenik and Jahn--Concerning expanding the ombudsman program for persons receiving services pursuant to the program of all-inclusive care for the elderly to include local ombudsmen, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 5, page 1082 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1162 by Representative(s) Gray; also Senator(s) Gardner--Concerning action that can be taken against an individual based on the individual's failure to pay for a traffic violation, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1079 by Representative(s) Kennedy; also Senator(s) Coram and Jahn--Concerning the continued collection of fees for wholesale food manufacturing and storage, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1231 by Representative(s) Arndt and Lawrence; also Senator(s) Tate and Smallwood--Concerning a reorganization of statutes governing the authority of the commissioner of insurance to examine companies engaged in the business of insurance in this state.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, May 8, page 1162 and placed in members' bill files.)

Amendment No. 2(L.008), by Senator Sonnenberg.

Amend the State, Veterans, and Military Affairs Committee Report, dated May 8, 2017, page 1, strike lines 1 through 9 and substitute:

"Amend reengrossed bill, page 39, line 22, strike "SEVEN" and substitute "TWO".

Page 39, line 23, strike "FIFTY".".

Page 1 of the report, strike lines 12 through 19.

Strike page 2 of the report.

Amendment No. 3(L.006), by Senator Tate.

Amend reengrossed bill, page 39, lines 11 and 12, strike "(a) EXCEPT AS PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, AS" and substitute "AS".

Page 39, strike lines 17 and 18 and substitute "THOUSAND DOLLARS FOR EVERY ACT OR VIOLATION. IF THE COMPANY KNEW OR REASONABLY SHOULD HAVE KNOWN".

Page 40, line 16, strike "SHALL" and substitute "MAY".

Page 40, after line 18 insert:

"(5) THE COMMISSIONER SHALL INCLUDE IN THE FINAL AGENCY ORDER THE CIVIL PENALTY AMOUNT PER VIOLATION FOR EVERY ACT IN VIOLATION OF ANY LAW, RULE, OR PRIOR LAWFUL ORDER OF THE COMMISSIONER.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1090 by Representative(s) Kraft-Tharp and Wilson; also Senator(s) Gardner and Kefalas--Concerning the advanced industry investment tax credit, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment. (Printed in Senate Journal, May 5, page 1133 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1119 by Representative(s) Kraft-Tharp, Singer; also Senator(s) Jahn and Tate--Concerning the payment of workers' compensation benefits to injured employees of uninsured employers, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, May 4, page(s) 1075-1076 and placed in members' bill files.)

Amendment No. 2(L.011), by Senator Jahn.

Amend the State, Veterans, and Military Affairs Committee Report, dated May 4, 2017, page 1, strike lines 18 through 20 and substitute "WORK THAT IS RANDOMLY OR FORTUITOUSLY IN COLORADO.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1266 by Representative(s) Hooton and Melton; also Senator(s) Fenberg and Marble--Concerning allowing persons who were convicted of misdemeanors for marijuana-related behaviors that are no longer illegal to petition for the sealing of criminal records relating to such convictions.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1351 by Representative(s) Pettersen and Rankin; also Senator(s) Crowder and Jahn--Concerning utilizing information to improve treatment for substance use disorders under the medicaid program, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 5, page(s) 1132-1133 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 9, page 1168 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1360 by Representative(s) Pabon; also Senator(s) Moreno--Concerning allowing a person with a subsequent criminal case to seal a low-level offense.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1367 by Representative(s) Pabon and Arndt; also Senator(s) Jahn and Baumgardner--Concerning marijuana research authorization.

Amendment No. 1(L.017), by Senator Baumgardner.

Amend reengrossed bill, page 7, after line 25 insert:

"**SECTION 6.** In Colorado Revised Statutes, 25-1.5-106.5, **amend** (5) as follows:

25-1.5-106.5. Medical marijuana health research grant program. (5) **Sources of marijuana.** (a) The attorney general shall seek authority from the federal government to permit Colorado institutions of higher education to contract with the national institute of drug abuse to cultivate marijuana and its component parts for use in research studies funded pursuant to this section.

(b) A PERSON WHO HOLDS AN OPTIONAL PREMISES CULTIVATION LICENSE OR MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING LICENSE ISSUED PURSUANT TO PART 4 OF ARTICLE 43.3 OF TITLE 12 OR A RETAIL MARIJUANA CULTIVATION FACILITY LICENSE OR A RETAIL MARIJUANA PRODUCTS MANUFACTURING LICENSE ISSUED PURSUANT TO PART 4 OF ARTICLE 43.4 OF TITLE 12 MAY TRANSFER MARIJUANA TO A MEDICAL RESEARCH FACILITY, INCLUDING AT AN INSTITUTION OF HIGHER EDUCATION, FOR USE IN RESEARCH STUDIES FUNDED PURSUANT TO THIS SECTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A MEDICAL RESEARCH FACILITY AUTHORIZED PURSUANT TO THIS SECTION TO CONDUCT MEDICAL RESEARCH REGARDING MARIJUANA IS EXEMPT FROM ALL OTHERWISE APPLICABLE RESTRICTIONS ON THE POSSESSION AND USE OF MARIJUANA; EXCEPT THAT THE FACILITY SHALL USE THE MARIJUANA ONLY FOR THE MEDICAL RESEARCH AUTHORIZED PURSUANT TO THIS SECTION, SHALL NOT POSSESS AT ANY TIME A QUANTITY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCT IN EXCESS OF THE LIMIT ESTABLISHED IN RULES PROMULGATED BY THE STATE LICENSING AUTHORITY, AND SHALL DESTROY ALL MARIJUANA REMAINING AFTER THE RESEARCH HAS BEEN COMPLETED. FOR THE FISCAL YEARS BEGINNING ON OR AFTER JULY 1, 2017, THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE UP TO ONE PERCENT OF THE AVAILABLE MONEY IN THE MARIJUANA TAX CASH FUND CREATED IN SECTION 39-28.8-501 TO THE DEPARTMENT TO BE USED TO AWARD GRANTS PURSUANT TO THIS SECTION TO MEDICAL RESEARCH FACILITIES SO THAT A FACILITY MAY:

(I) PURCHASE MARIJUANA FROM A LICENSEE SPECIFIED IN THIS SUBSECTION (5)(b) THAT WILL BE USED IN THE RESEARCH; AND

(II) CONDUCT THE MEDICAL RESEARCH.

SECTION 7. In Colorado Revised Statutes, 12-43.3-202, **amend** (1)(h) and (2.5)(a) introductory portion; and **add** (2.5)(a)(I)(G) as follows:

12-43.3-202. Powers and duties of state licensing authority - rules. (1) The state licensing authority shall:

(h) Develop and maintain a seed-to-sale tracking system that tracks medical marijuana from either the seed or immature plant stage until the medical marijuana or medical marijuana-infused product is sold to a customer at a medical marijuana center to ensure that no medical marijuana grown or processed by a medical marijuana establishment is sold or otherwise transferred except by a medical marijuana center; EXCEPT THAT THE MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCT IS NO LONGER SUBJECT TO THE TRACKING SYSTEM ONCE THE MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCT HAS BEEN:

(I) TRANSFERRED TO A MEDICAL RESEARCH FACILITY PURSUANT TO SECTION 25-1.5-106.5 (5)(b); OR

(II) TRANSFERRED TO A PESTICIDE MANUFACTURER IN QUANTITIES THAT ARE LIMITED AS SPECIFIED IN RULES PROMULGATED BY THE STATE LICENSING AUTHORITY, IN CONSULTATION WITH THE DEPARTMENTS OF PUBLIC HEALTH AND ENVIRONMENT AND AGRICULTURE. THE RULES MUST DEFINE A PESTICIDE MANUFACTURER THAT IS AUTHORIZED TO CONDUCT RESEARCH AND MUST AUTHORIZE A PESTICIDE MANUFACTURER TO CONDUCT RESEARCH TO ESTABLISH SAFE AND EFFECTIVE PROTOCOLS FOR THE USE OF PESTICIDES ON MEDICAL MARIJUANA. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PESTICIDE MANUFACTURER AUTHORIZED PURSUANT TO THIS SUBSECTION (1)(h)(II) TO CONDUCT PESTICIDE RESEARCH REGARDING MARIJUANA MUST BE LOCATED IN COLORADO, MUST CONDUCT THE RESEARCH IN COLORADO, AND IS EXEMPT FROM ALL OTHERWISE APPLICABLE RESTRICTIONS ON THE POSSESSION AND USE OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCT; EXCEPT THAT THE MANUFACTURER SHALL:

(A) NOT POSSESS AT ANY TIME A QUANTITY OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCT IN EXCESS OF THE LIMIT ESTABLISHED IN RULES PROMULGATED BY THE STATE LICENSING AUTHORITY;

(B) USE THE MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCT ONLY FOR THE PESTICIDE RESEARCH AUTHORIZED PURSUANT TO THIS SUBSECTION (1)(h)(II);

(C) DESTROY, IN COMPLIANCE WITH RULES PROMULGATED BY THE STATE LICENSING AUTHORITY, ALL MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCT REMAINING AFTER THE RESEARCH HAS BEEN COMPLETED; AND

(D) NOT APPLY PESTICIDES FOR RESEARCH PURPOSES ON THE LICENSED PREMISES OF A MEDICAL MARIJUANA BUSINESS.

(2.5) (a) Rules promulgated pursuant to ~~paragraph (b) of subsection (1)~~ SUBSECTION (1)(b) of this section must include, but need not be limited to, the following subjects:

(I) (G) A STATE, LOCAL, OR MUNICIPAL AGENCY SHALL NOT EMPLOY OR USE THE RESULTS OF ANY TEST OF MEDICAL MARIJUANA OR MEDICAL MARIJUANA-INFUSED PRODUCTS CONDUCTED BY AN ANALYTICAL LABORATORY THAT IS NOT CERTIFIED PURSUANT TO THIS SUBSECTION (2.5)(a)(I) FOR THE PARTICULAR TESTING CATEGORY AND ACCREDITED TO THE INTERNATIONAL ORGANIZATION FOR STANDARDIZATION / INTERNATIONAL ELECTROTECHNICAL COMMISSION 17025:2005 STANDARD, OR ANY SUBSEQUENT SUPERSEDING STANDARD, IN THAT FIELD OF TESTING.

SECTION 8. In Colorado Revised Statutes, 12-43.4-202, **amend** (1) and (3)(a) introductory portion; and **add** (3)(a)(IV)(H) as follows:

12-43.4-202. Powers and duties of state licensing authority - rules. (1) TO ENSURE THAT NO MARIJUANA GROWN OR PROCESSED BY A RETAIL MARIJUANA ESTABLISHMENT IS SOLD OR OTHERWISE TRANSFERRED EXCEPT BY A RETAIL MARIJUANA STORE OR AS AUTHORIZED BY LAW, the state licensing authority shall develop and maintain a seed-to-sale tracking system that tracks retail marijuana from either seed or immature plant stage until the marijuana or retail marijuana product is sold to a customer at a retail marijuana store; ~~to ensure that no~~

~~marijuana grown or processed by a retail marijuana establishment is sold or otherwise transferred except by a retail marijuana store.~~ EXCEPT THAT RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCT IS NO LONGER SUBJECT TO THE TRACKING SYSTEM ONCE THE RETAIL MARIJUANA HAS BEEN:

(a) TRANSFERRED TO A MEDICAL RESEARCH FACILITY PURSUANT TO SECTION 25-1.5-106.5 (5)(b); OR

(b) TRANSFERRED TO A PESTICIDE MANUFACTURER IN QUANTITIES THAT ARE LIMITED AS SPECIFIED IN RULES PROMULGATED BY THE STATE LICENSING AUTHORITY, IN CONSULTATION WITH THE DEPARTMENTS OF PUBLIC HEALTH AND ENVIRONMENT AND AGRICULTURE. THE RULES MUST DEFINE A PESTICIDE MANUFACTURER THAT IS AUTHORIZED TO CONDUCT RESEARCH AND MUST AUTHORIZE A PESTICIDE MANUFACTURER TO CONDUCT RESEARCH TO ESTABLISH SAFE AND EFFECTIVE PROTOCOLS FOR THE USE OF PESTICIDES ON RETAIL MARIJUANA. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PESTICIDE MANUFACTURER AUTHORIZED PURSUANT TO THIS SUBSECTION (1)(b) TO CONDUCT PESTICIDE RESEARCH REGARDING RETAIL MARIJUANA MUST BE LOCATED IN COLORADO, MUST CONDUCT THE RESEARCH IN COLORADO, AND IS EXEMPT FROM ALL OTHERWISE APPLICABLE RESTRICTIONS ON THE POSSESSION AND USE OF RETAIL MARIJUANA; EXCEPT THAT THE MANUFACTURER SHALL:

(I) NOT POSSESS AT ANY TIME A QUANTITY OF RETAIL MARIJUANA IN EXCESS OF THE LIMIT ESTABLISHED IN RULES PROMULGATED BY THE STATE LICENSING AUTHORITY;

(II) USE THE RETAIL MARIJUANA ONLY FOR THE PESTICIDE RESEARCH AUTHORIZED PURSUANT TO THIS SUBSECTION (1)(b);

(III) DESTROY, IN COMPLIANCE WITH RULES PROMULGATED BY THE STATE LICENSING AUTHORITY, ALL RETAIL MARIJUANA REMAINING AFTER THE RESEARCH HAS BEEN COMPLETED; AND

(IV) NOT APPLY PESTICIDES FOR RESEARCH PURPOSES ON THE LICENSED PREMISES OF A RETAIL MARIJUANA ESTABLISHMENT.

(3) (a) Rules promulgated pursuant to ~~paragraph (b) of subsection (2)~~ SUBSECTION (2)(b) of this section must include, but need not be limited to, the following subjects:

(IV) (H) A STATE, LOCAL, OR MUNICIPAL AGENCY SHALL NOT EMPLOY OR USE THE RESULTS OF ANY TEST OF MARIJUANA OR MARIJUANA PRODUCTS CONDUCTED BY AN ANALYTICAL LABORATORY THAT IS NOT CERTIFIED PURSUANT TO THIS SUBSECTION (3)(a)(IV) FOR THE PARTICULAR TESTING CATEGORY AND ACCREDITED TO THE INTERNATIONAL ORGANIZATION FOR STANDARDIZATION / INTERNATIONAL ELECTROTECHNICAL COMMISSION 17025:2005 STANDARD, OR ANY SUBSEQUENT SUPERSEDING STANDARD, IN THAT FIELD OF TESTING.

SECTION 9. Appropriation. (1) For the 2017-18 state fiscal year, $62,210 is appropriated to the department of revenue. This appropriation is from the marijuana cash fund created in section 12-43.3-501 (1)(a), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $43,200 for marijuana enforcement; and

(b) $19,010 for the purchase of legal services.

(2) For the 2017-18 state fiscal year, $19,010 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of revenue under subsection (1)(b) of this section and is based on an assumption that the department of law will require an additional 0.1 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of revenue.".

Renumber succeeding section accordingly.

Page 8, line 1, strike "This act" and substitute "Sections 1 through 5 of this act.

Page 8, line 2, strike "takes effect July 1, 2018;" and substitute "take effect July 1, 2018, and sections 6 through 10 of this act take effect January 1, 2018;".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1369 by Representative(s) Pabon; also Senator(s) Marble--Concerning bond procedures for persons not appearing in court due to immigration-related issues.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1363 by Representative(s) Hansen; also Senator(s) Martinez Humenik--Concerning an exemption from otherwise applicable requirements for financing from the Colorado new energy improvement district if a residential property owner is not seeking to subordinate the priority of existing mortgages.

Ordered revised and placed on the calendar for third reading and final passage.

HB17-1208 by Representative(s) Weissman; also Senator(s) Gardner--Concerning clarifications to the criminal justice records sealing process.

Amendment No. 1(L.002), by Senator Gardner.

Amend reengrossed bill, page 2, strike lines 14 through 20 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, 24-72-702, **add** (1)(f.5) as follows:

24-72-702. Sealing of arrest and criminal records other than convictions. (1) (f.5) NOTWITHSTANDING THE PROVISIONS OF SUBSECTIONS (1)(e)".

Page 3, strike lines 1 through 12.

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB17-1002 by Representative(s) Pettersen and Exum; also Senator(s) Kefalas and Martinez Humenik--Concerning the extension of the income tax credit for child care expenses paid by a resident individual with a federal adjusted gross income of twenty-five thousand dollars or less.

Amendment No. 1(L.003), by Senator Kefalas.

Amend reengrossed bill, page 2, line 3, strike "(7)" and substitute "(7); and **add** (3)(a.5)".

Page 2, strike line 12 and substitute "2014, but prior to January 1, 2017, AND FOR INCOME TAX YEARS SPECIFIED IN SUBSECTION (3)(a.5) OF THIS SECTION, a resident individual".

Page 2 after line 14 insert:

"(a.5) (I) IF, BASED ON THE REVENUE ESTIMATE PREPARED BY LEGISLATIVE COUNCIL STAFF IN JUNE 2017, THE GENERAL FUND SURPLUS FOR 2016-17 STATE FISCAL YEAR IS GREATER THAN OR EQUAL TO TWO MILLION NINE HUNDRED THOUSAND DOLLARS, THEN THE CREDIT IS AVAILABLE FOR INCOME TAX YEARS BEGINNING ON AND AFTER JANUARY 1, 2017, BUT PRIOR TO JANUARY 1, 2020.

(II) IF, BASED ON THE REVENUE ESTIMATE PREPARED BY LEGISLATIVE COUNCIL STAFF IN JUNE 2017, THE GENERAL FUND SURPLUS FOR 2016-17 STATE FISCAL YEAR IS LESS THAN TWO MILLION NINE HUNDRED THOUSAND DOLLARS, THEN THE CREDIT IS AVAILABLE FOR INCOME TAX YEARS BEGINNING ON AND AFTER JANUARY 1, 2018, BUT PRIOR TO JANUARY 1, 2021.

(III) FOR PURPOSES OF DETERMINING WHETHER SUBSECTION (3)(a.5)(I) OR (3)(a.5)(II) APPLIES, LEGISLATIVE COUNCIL STAFF SHALL NOT TAKE INTO ACCOUNT ANY REDUCTION IN REVENUE THAT WOULD RESULT FROM THE CREDIT APPLYING FOR INCOME TAX YEARS BEGINNING ON AND AFTER JANUARY 1, 2017, BUT PRIOR TO JANUARY 1, 2018.".

Page 2, line 16, strike "2021." and substitute "2022.".

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 -- SPECIAL ORDERS

On motion of Senator Hill, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB17-1340, HB17-1375, HB17-1356, HB17-1313 as amended, HB17-1284 as amended, HB17-1264 as amended, HB17-1162, HB17-1079, HB17-1231 as amended, HB17-1090 as amended, HB17-1119 as amended, HB17-1266, HB17-1351 as amended, HB17-1360, HB17-1367 as amended, HB17-1369, HB17-1363, HB17-1208 as amended, HB17-1002 as amended.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the appointment to the Transportation Commission was made Special Orders -- Consideration of Governor's Appointments Calendar at 6:04 p.m.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- SPECIAL ORDERS

The hour of 6:04 p.m. having arrived, on motion of Senator Baumgardner, the following Governor's appointment was confirmed by the following roll call vote:

MEMBER OF THE
TRANSPORTATION COMMISSION

for a term expiring July 1, 2017:

Karen Dona Stuart of Broomfield, Colorado, to serve as a commissioner from the Fourth Transportation District, and occasioned by the resignation of Heather M. Barry of Westminster, Colorado, appointed;

for a term expiring July 1, 2021:

Karen Dona Stuart of Broomfield, Colorado, to serve as a commissioner from the Fourth Transportation District, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations

After consideration on the merits, the Committee recommends that **HB17-1270** be postponed indefinitely.

MESSAGE FROM THE HOUSE

May 9, 2017

Mr. President:

The House has postponed indefinitely SB17-275. The bill is returned herewith.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Senator Donovan will be added as a Senate joint prime sponsor on HB17-1306 with Senator Coram and Representatives McLachalan and Exum.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB17-1301.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB17-1004 by Representative(s) Michaelson Jenet and Danielson; also Senator(s) Hill and Garcia--Concerning a statewide policy for awarding college credit for military education and training.

Senator Hill moved for the adoption of the first report of the first conference committee on **HB17-1004**, as printed in Senate journal, May 9, page(s) 1188-1189. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	*	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

* Abstaining from voting under Senate Rule 17(c) -- Senator Lambert.

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Coram.

THIRD READING OF BILLS -- FINAL PASSAGE (cont'd)

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1342 by Representative(s) Benavidez; also Senator(s) Crowder--Concerning authorization for a county to submit a ballot question for a county public safety improvements tax at a biennial county or November odd-year election.

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	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB17-1227 by Representative(s) Winter and Lawrence, Covarrubias, McKean, McLachlan; also Senator(s) Priola and Fenberg--Concerning an extension of demand-side management goals for investor-owned utilities as set by the public utilities commission.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Jones, Merrifield, and Moreno.

RECONSIDERATION OF HB17-1227

HB17-1227 by Representative(s) Winter and Lawrence, Covarrubias, McKean, McLachlan; also Senator(s) Priola and Fenberg--Concerning an extension of demand-side management goals for investor-owned utilities as set by the public utilities commission.

Having voted on the prevailing side, Senator Priola moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on **HB17-1227**.

Less than a majority of all members elected to the Senate having voted in the affirmative, reconsideration was denied.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS (cont'd)

SB17-240 by Senator(s) Jahn and Tate; also Representative(s) Winter--Concerning the continuation of the regulation of persons who sell vehicles in the ordinary course of business, and, in connection therewith, implementing the recommendations of the sunset report of the department of regulatory agencies and making an appropriation.

Senator Tate moved that the Senate concur in House amendments to **SB17-240**, as printed in House journal, May 8, page 1380. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-306 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin-Concerning a direct transfer of money from the high cost support mechanism to broadband deployment grant applicants with proposed broadband deployment projects that have been approved by the broadband deployment board for a grant award, and, in connection therewith, requiring segregation of funds for basic voice service from funds for broadband deployment.

Senator Lambert moved that the Senate not concur in House amendments to **SB17-306**, as printed in House journal, May 8, page(s) 1375-1379, and May 9, page(s) 1398-1399, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, May 10, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

120th Legislative Day Wednesday, May 10, 2017

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community: A Mennonite Congregation, Littleton.

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 Priola.

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Tuesday, May 9, 2017, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Reengrossed: SB17-021, 275, and 301.
Correctly Revised: HB17-1002, 1043, 1079, 1090, 1116, 1119, 1162, 1204, 1208, 1216, 1231, 1264, 1266, 1276, 1277, 1282, 1284, 1296, 1303, 1306, 1313, 1315, 1326, 1329, 1340, 1346, 1351, 1356, 1360, 1363, 1367, 1369, 1371, and 1375; HJR17-1031 and 1032.
Correctly Rerevised: HB17-1227, 1248, 1285, 1308, 1322, 1338, 1342, 1343, 1349, 1353, 1354, 1355, 1357, 1361, and 1365.
Correctly Enrolled: SB17-025, 028, 140, 192, 201, 207, 211, 236, 242, 294, 298, 302, and 304.

MESSAGE FROM THE HOUSE

May 9, 2017

Mr. President:

The House has passed on Third Reading and returns herewith SB17-183.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-305, amended as printed in House Journal, May 8, 2017.

The House has voted to concur in the Senate amendments to HB17-1293, 1289, 1332, 1359, 1353, 1248, 1285, 1342 and has repassed the bills as so amended.

The House has adopted the First Report of the First Conference Committee on HB17-1004, as printed in House Journal, May 9, 2017, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB17-1155, as printed in House Journal, May 8, 2017, and has repassed the bill as amended.

MESSAGE FROM THE REVISOR OF STATUTES

May 10, 2017

We herewith transmit:

Without comment, as amended, SB17-305.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Lundberg, Chair, Tate, and Donvan were appointed as Senate conferees on the first conference committee on **SB17-306**.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1346 by Representative(s) Lontine; also Senator(s) Hill--Concerning the sale of more than fifteen acres of land at the Colorado mental health institute at Fort Logan to the United States department of veterans affairs for the expansion of Fort Logan national cemetery.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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, Crowder, Fenberg, Fields, Gardner, Grantham, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Moreno, Neville T., Sonnenberg, Tate, Todd, and Zenzinger.

HB17-1371 by Representative(s) Lee; also Senator(s) Cooke--Concerning the distribution of medications to outlets that are under common ownership of certain entities.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Moreno.

HB17-1277 by Representative(s) Mitsch Bush; also Senator(s) Martinez Humenik--Concerning the authority of the department of revenue to suspend the driver's license of a driver who leaves the scene of an accident involving serious bodily injury.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Court, Holbert, Jones, Kerr, Merrifield, Moreno, Smallwood, Tate, Todd, and Williams A.

HB17-1315 by Representative(s) Singer and Lawrence; also Senator(s) Gardner and Fields--Concerning the acquisition of data to analyze the types of DUI offenses being committed by offenders and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Garcia, Holbert, Jahn, Kefalas, Martinez Humenik, Priola, Scott, Smallwood, Tate, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1043 by Representative(s) Navarro and Gray; also Senator(s) Priola and Williams A.--Concerning an extension of the scheduled repeal date for uniform commercial code filing fees to provide funding for the Colorado fraud investigators unit.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB17-1216 by Representative(s) Kraft-Tharp and Sias; also Senator(s) Neville T. and Jahn--Concerning the creation of the sales and use tax simplification task force, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Hill, Kagan, Kefalas, Kerr, Marble, Moreno, Priola, Smallwood, and Tate.

HB17-1276 by Representative(s) Lontine; also Senator(s) Fields and Gardner--Concerning prohibiting the use of certain restraints upon public school students, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Garcia, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Todd, Williams A., and Zenzinger.

HB17-1326 by Representative(s) Lee, Exum, Melton; also Senator(s) Gardner and Kagan, Merrifield, Priola--Concerning creation of the justice reinvestment crime prevention initiative, and, in connection therewith, funding the initiative through savings created by parole reforms and making and reducing an appropriation.

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	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fenberg, Kefalas, Moreno, and Todd.

HB17-1296 by Representative(s) Nordberg and Kraft-Tharp, Saine, Winter; also Senator(s) Smallwood and Jahn, Donovan, Neville T.--Concerning the assignment of state-owned motor vehicles, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Martinez Humenik, Moreno, Priola, Scott, Tate, and Todd.

HB17-1306 by Representative(s) McLachlan and Exum; also Senator(s) Coram and Donovan--Concerning the financing of testing for lead in public schools' drinking water, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Fenberg, Fields, Gardner, Holbert, Jahn, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Scott, Tate, Todd, Williams A., and Zenzinger.

HB17-1303 by Representative(s) Wist and Lee, Van Winkle; also Senator(s) Gardner and Kagan, Cooke--Concerning the judicial performance evaluation system, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Garcia, Guzman, Hill, Jahn, Martinez Humenik, Tate, and Williams A.

HB17-1204 by Representative(s) Lee; also Senator(s) Cooke--Concerning juvenile delinquency record expungement, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Fenberg, Fields, Grantham, Guzman, Jahn, Kagan, Kefalas, Kerr, Marble, Martinez Humenik, Moreno, Neville T., Priola, Tate, and Williams A.

HB17-1282 by Representative(s) Ginal; also Senator(s) Sonnenberg, Kefalas--Concerning the creation of a veterinary education loan repayment program to assist veterinarians with education loan repayments in exchange for providing veterinary services in rural areas of the state in need of veterinary services.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Donovan, Fenberg, Fields, Guzman, Jahn, Kagan, Moreno, Priola, Scott, Todd, and Williams A.

HB17-1329 by Representative(s) Lee and Landgraf, Covarrubias, McKean, Lawrence, Garnett, Herod, Kraft-Tharp, Singer, Thurlow, Wilson; also Senator(s) Kagan and Coram--Concerning the treatment of youths within the division of youth corrections, and, in connection therewith, renaming the division the "division of youth services", clarifying the rehabilitative purpose of the division, establishing a pilot program to initiate a cultural change within the division, clarifying the manner in which the division shall report data concerning critical incidents, renaming and expanding the role of the youth seclusion working group, requiring an independent assessment of the division, creating community boards in each region of the division, requiring the state auditor to audit certain reports of the division, and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fields, Guzman, Jones, Kefalas, Kerr, Merrifield, Todd, Williams A., and Zenzinger.

HB17-1340 by Representative(s) Lundeen and Garnett; also Senator(s) Hill and Moreno--Concerning creation of a legislative interim committee to study school finance issues, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Holbert, Jahn, Lambert, Marble, Martinez Humenik, Priola, Scott, Sonnenberg, Tate, Todd, and Williams A.

HB17-1375 by Representative(s) Pettersen and Sias; also Senator(s) Hill and Williams A.--Concerning measures to increase transparent equity in educating students in public schools, and, in connection therewith, requiring school districts to distribute mill levy revenue to meet the needs of students, creating a fund to provide equalizing money to institute charter schools, and requiring school districts and charter schools to post a list of statutory waivers received.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Gardner, Grantham, Holbert, Jahn, Lambert, Lundberg, Marble, Martinez Humenik, Moreno, Neville T., Smallwood, Sonnenberg, and Tate.

HB17-1313 by Representative(s) Herod and Humphrey, Lebsock, Van Winkle, Leonard, Coleman, Esgar, Hooton, McKean, Melton, Neville P., Pettersen, Saine, Salazar, Williams D.; also Senator(s) Neville T. and Kagan, Marble, Lundberg, Cooke, Hill, Aguilar, Court, Fenberg, Grantham, Guzman, Holbert, Jahn, Kefalas, Kerr, Lambert, Merrifield, Moreno, Priola, Scott, Smallwood, Tate, Todd, Williams A., Zenzinger--Concerning civil forfeiture reform, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner and Garcia.

HB17-1284 by Representative(s) Lontine; also Senator(s) Aguilar and Gardner--Concerning protecting at-risk adults from mistreatment by establishing a check of the Colorado adult protective services data system for persons employed to provide direct care to at-risk adults, and, in connection therewith, making an appropriation.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Fields, Garcia, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Todd, and Zenzinger.

HB17-1264 by Representative(s) Ginal and Lawrence, Kennedy; also Senator(s) Martinez Humenik and Jahn--Concerning expanding the ombudsman program for persons receiving services pursuant to the program of all-inclusive care for the elderly to include local ombudsmen, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fields, Guzman, Jones, Kagan, Kefalas, Kerr, Merrifield, Todd, Williams A., and Zenzinger.

RECONSIDERATION OF HB17-1264

HB17-1264 by Representative(s) Ginal and Lawrence, Kennedy; also Senator(s) Martinez Humenik and Jahn--Concerning expanding the ombudsman program for persons receiving services pursuant to the program of all-inclusive care for the elderly to include local ombudsmen, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Senator Martinez Humenik moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on **HB17-1264**.

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 titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1264 by Representative(s) Ginal and Lawrence, Kennedy; also Senator(s) Martinez Humenik and Jahn--Concerning expanding the ombudsman program for persons receiving services pursuant to the program of all-inclusive care for the elderly to include local ombudsmen, and, in connection therewith, making an appropriation.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Priola.

HB17-1162 by Representative(s) Gray; also Senator(s) Gardner--Concerning action that can be taken against an individual based on the individual's failure to pay for a traffic violation, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas.

HB17-1079 by Representative(s) Kennedy; also Senator(s) Coram and Jahn--Concerning the continued collection of fees for wholesale food manufacturing and storage, and, in connection therewith, making an appropriation.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB17-1231 by Representative(s) Arndt and Lawrence; also Senator(s) Tate and Smallwood--Concerning a reorganization of statutes governing the authority of the commissioner of insurance to examine companies engaged in the business of insurance in this state.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Grantham, Hill, Jahn, Martinez Humenik, Scott, and Sonnenberg.

HB17-1090 by Representative(s) Kraft-Tharp and Wilson; also Senator(s) Gardner and Kefalas--Concerning the advanced industry investment tax credit, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	N	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fenberg, Kerr, Martinez Humenik, and Todd.

HB17-1119 by Representative(s) Kraft-Tharp, Singer; also Senator(s) Jahn and Tate--Concerning the payment of workers' compensation benefits to injured employees of uninsured employers, 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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Hill and Kagan.

HB17-1266 by Representative(s) Hooton and Melton; also Senator(s) Fenberg and Marble--Concerning allowing persons who were convicted of misdemeanors for marijuana-related behaviors that are no longer illegal to petition for the sealing of criminal records relating to such convictions.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fields, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Neville T., Scott, Smallwood, Tate, Todd, Williams A., and Zenzinger.

HB17-1351 by Representative(s) Pettersen and Rankin; also Senator(s) Crowder and Jahn--Concerning utilizing information to improve treatment for substance use disorders under the medicaid program, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Fenberg, Kagan, Kerr, Merrifield, Todd, and Williams A.

HB17-1360 by Representative(s) Pabon; also Senator(s) Moreno--Concerning allowing a person with a subsequent criminal case to seal a low-level offense.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Fenberg, Jones, Kagan, Kefalas, Kerr, Merrifield, Todd, and Williams A.

HB17-1367 by Representative(s) Pabon and Arndt; also Senator(s) Jahn and Baumgardner--Concerning marijuana research authorization.

A majority of those elected to the Senate having voted in the affirmative, Senator Baumgardner was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.022), by Senator Jahn.

Amend revised bill, page 13, strike lines 22 through 27 and substitute:

"**SECTION 10. Act subject to petition - effective date - applicability.** (1) Sections 1 through 5 and this section 10 of this act take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against section 1, 2, 3, 4, 5, 10, or 11 of this act within such period, then the section or sections will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) (a) Sections 6 through 9 of this act take effect January 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against section 6, 7, 8, or 9 of this act within the ninety-day period after final adjournment of the general assembly, the section or sections will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on January 1, 2019, or on the date of the official declaration of the vote thereon by the governor, whichever is later.

(b) Sections 6 through 9 of this act apply to conduct occurring on or after the applicable effective date of this act.".

Strike page 14.

Page 1, line 101, strike "**AUTHORIZATION.**" and substitute "**AUTHORIZATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

The amendment was **passed** on the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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: Coram, Crowder, Grantham, Hill, Holbert, Kefalas, Neville T., Smallwood, and Sonnenberg.

HB17-1369 by Representative(s) Pabon; also Senator(s) Marble--Concerning bond procedures for persons not appearing in court due to immigration-related issues.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar and Kagan.

HB17-1363 by Representative(s) Hansen; also Senator(s) Martinez Humenik--Concerning an exemption from otherwise applicable requirements for financing from the Colorado new energy improvement district if a residential property owner is not seeking to subordinate the priority of existing mortgages.

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	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court.

HB17-1002 by Representative(s) Pettersen and Exum; also Senator(s) Kefalas and Martinez Humenik--Concerning the extension of the income tax credit for child care expenses paid by a resident individual with a federal adjusted gross income of twenty-five thousand dollars or less.

A majority of those elected to the Senate having voted in the affirmative, Senator Kefalas was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.007), by Senator Kefalas.

Amend revised bill, page 2, line 18, after "FOR" insert "THE" and after "IS" insert "EXPECTED TO BE".

Page 2, strike lines 22 and 23.

Page 3, strike lines 1 and 2 and substitute:

"(II) IF THE CONDITION IN SUBSECTION (3)(a.5)(I) OF THIS SECTION IS NOT MET, THEN THE CREDIT IS AVAILABLE FOR".

Page 3, line 6, after "(3)(a.5)(II)" insert "OF THIS SECTION".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	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, Fields, Gardner, Jahn, Jones, Kerr, Merrifield, Moreno, Tate, Todd, Williams A., and Zenzinger.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Third Reading of Bills -- Final Passage Calendar (HB17-1116, HB17-1356, HB17-1208) of Wednesday, May 10, 2017, was laid over until 1:00 p.m. on Wednesday, May 10, 2017, retaining its place on the calendar.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 10, 2017

Mr. President:

The House has passed on Third Reading and returns herewith SB17-267, 299.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-021, amended as printed in House Journal, May 9, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes SB17-012, amended on Third Reading as printed in House Journal May 10, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB16-296, amended as printed in House Journal, May 9, 2017, and amended on Third Reading as printed in House Journal, May 10, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB16-040, amended as printed in House Journal, May 9, 2017, and amended on Third Reading as printed in House Journal, May 10, 2017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB16-019, amended as printed in House Journal, May 9, 2017, and amended on Third Reading as printed in House Journal, May 10, 2017.

The House has adopted and transmits herewith HJR17-1033, as printed in House Journal, May 10, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

May 10, 2017

We herewith transmit:

Without comment, as amended, SB17-012, 019, 021, 040, and 296.

Call of the Senate. Call raised.

Senate in recess. Senate reconvened.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB17-184

****
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 SB17-184, concerning measures to define lawful consumption of marijuana, 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 13, strike "ARE" and substitute "IT DEEMS APPROPRIATE, SUBJECT TO THE PROHIBITION IN SUBSECTION (1) OF THIS SECTION.".

Page 2, strike lines 14 through 18.

Page 3, line 10, strike "ARE" and substitute "IT DEEMS APPROPRIATE, SUBJECT TO THE PROHIBITION IN SUBSECTION (1) OF THIS SECTION.".

Page 3, strike lines 11 through 15.

Page 3, strike lines 18 through 26 and substitute:

"**18-18-102. Definitions.** As used in this ~~article~~ ARTICLE 18:

(20.3) (a) "OPEN AND PUBLIC" OR "OPENLY AND PUBLICLY" MEANS:

(I) A PLACE TO WHICH THE PUBLIC OR A SUBSTANTIAL NUMBER OF THE PUBLIC HAS ACCESS, INCLUDING, BUT NOT LIMITED TO, STREETS AND HIGHWAYS, TRANSPORTATION FACILITIES, PLACES OF AMUSEMENT, PARKS, PLAYGROUNDS, AND THE COMMON AREAS OF BUILDINGS AND OTHER FACILITIES; OR

(II) A PLACE NOT PROTECTED FROM UNAIDED OBSERVATION LAWFULLY MADE FROM OUTSIDE ITS PERIMETER.

(b) "OPEN AND PUBLIC" OR "OPENLY AND PUBLICLY" DOES NOT INCLUDE A PRIVATE RESIDENCE; EXCEPT THAT "OPEN AND PUBLIC" CONSUMPTION ON THE EXTERIOR OF A PRIVATE RESIDENCE IS LIMITED TO ONLY THE LAWFUL RESIDENTS OF THE PRIVATE PROPERTY AND NO MORE THAN FIVE INDIVIDUALS WHO ARE NOT RESIDENTS. NOTWITHSTANDING THE PROVISIONS OF SECTIONS 12-43.3-902 (2) AND 12-43.4-902 (2), "OPEN AND PUBLIC" OR "OPENLY AND PUBLICLY" SHALL NOT BE CONSTRUED TO INCLUDE ANY LAWFUL CONSUMPTION BY AN INDIVIDUAL WITHIN THE INTERIOR OF THE RESIDENCE.".

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Bob Gardner, Chariman	Dan Pabon, Chairman
John Cooke	Kevin Van Winkle
Lois Court	Mike Foote

THIRD READING OF BILLS -- FINAL PASSAGE (cont'd)

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1116 by Representative(s) Hamner and Exum, Becker J., Esgar, Covarrubias; also Senator(s) Martinez Humenik, Donovan, Priola--Concerning the continuation of energy-related assistance to low-income households.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Fenberg, Fields, Garcia, Guzman, Jahn, Kefalas, Kerr, Moreno, Todd, Williams A., and Zenzinger.

HB17-1356 by Representative(s) Duran and Esgar, Covarrubias, Garnett, Kraft-Tharp, Lawrence, Pabon, Van Winkle; also Senator(s) Tate and Garcia--Concerning the temporary authority of the Colorado economic development commission to allow certain businesses to treat specific existing income tax credits differently.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	N	Hill	Y	Marble	N	Tate	Y
Court	N	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Fields, Grantham, Guzman, Kefalas, and Zenzinger.

HB17-1208 by Representative(s) Weissman; also Senator(s) Gardner--Concerning clarifications to the criminal justice records sealing process.

A majority of those elected to the Senate having voted in the affirmative, Senator Gardner was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.003), by Senator Gardner.

Amend revised bill, page 2, strike lines 14 through 17 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, 24-72-702, **amend** (1)(a)(II) introductory portion and (1)(a)(II)(B); and **add** (1)(f.5) as follows:

24-72-702. Sealing of arrest and criminal records other than convictions. (1) (a) (II) Except as provided in ~~subparagraph (III) of this paragraph (a)~~ SUBSECTION (1)(a)(III) OF THIS SECTION, arrest or criminal records information may not be sealed if:

(B) A dismissal occurs as part of a plea agreement in a separate case IN WHICH A JUDGMENT OF CONVICTION HAS BEEN ENTERED; or

(f.5) NOTWITHSTANDING THE PROVISIONS OF".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	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: Kagan and Tate.

RECONSIDERATION OF HB17-1367

HB17-1367 by Representative(s) Pabon and Arndt; also Senator(s) Jahn and Baumgardner--Concerning marijuana research authorization.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on **HB17-1367**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

RECONSIDERATION OF THIRD READING AMENDMENTS TO HB17-1367

HB17-1367 by Representative(s) Pabon and Arndt; also Senator(s) Jahn and Baumgardner--Concerning marijuana research authorization.

Having voted on the prevailing side, Senator Jahn moved for reconsideration of the last Senate action, Third Reading Amendments, on **HB17-1367**.

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 titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB17-1367 by Representative(s) Pabon and Arndt; also Senator(s) Jahn and Baumgardner--Concerning marijuana research authorization.

A majority of those elected to the Senate having voted in the affirmative, Senator Jahn was given permission to offer a third reading amendment.

Third Reading Amendment No. 2(L.021), by Senator Jahn.

Amend revised bill, page 13, strike lines 22 through 27 and substitute:

"**SECTION 10. Appropriation.** (1) For the 2017-18 state fiscal year, $164,461 is appropriated to the department of revenue. This appropriation is from the marijuana cash fund created in section 12-43.3-501 (1)(a), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $78,421 for marijuana enforcement, which amount is based on an assumption that the department will require an additional 0.5 FTE;

(b) $10,000 for tax administration IT system (GenTax) support; and

(c) $76,040 for the purchase of legal services.

(2) For the 2017-18 state fiscal year, $76,040 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of revenue under subsection (1)(c) of this section and is based on an assumption that the department of law will require an additional 0.4 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of revenue.

SECTION 11. Act subject to petition - effective date - applicability. (1) Sections 1 through 5, section 10, and this section 11 of this act take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against section 1, 2, 3, 4, 5, 10, or 11 of this act within such period, then the section or sections will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the

official declaration of the vote thereon by the governor.

(2) (a) Sections 6 through 9 of this act take effect January 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against section 6, 7, 8, or 9 of this act within the ninety-day period after final adjournment of the general assembly, the section or sections will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on January 1, 2019, or on the date of the official declaration of the vote thereon by the governor, whichever is later.

(b) Sections 6 through 9 of this act apply to conduct occurring on or after the applicable effective date of this act.".

Strike page 14.

Page 1, line 101, strike "**AUTHORIZATION.**" and substitute "**AUTHORIZATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

RE-RECONSIDERATION OF HB17-1367

HB17-1367 by Representative(s) Pabon and Arndt; also Senator(s) Jahn and Baumgardner--Concerning marijuana research authorization.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on **HB17-1367**.

Having failed to gain the unanimous consent of all members elected to the Senate as required under Senate Rule 18 (a), re-reconsideration was denied.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB17-305 by Senator(s) Lundberg and Fenberg, Aguilar, Court, Guzman, Kagan, Merrifield, Neville T., Scott, Todd, Williams A.; also Representative(s) Foote and Neville P., Becker K., Beckman, Benavidez, Buck, Hooton, Humphrey, Leonard, Liston, Lontine, Lundeen, Navarro, Pabon, Ransom, Saine, Sias, Van Winkle, Williams D., Wist--Concerning modifications to select statutory provisions affecting primary elections enacted by voters at the 2016 statewide general election to facilitate the effective implementation of the state's election laws, and, in connection therewith, making an appropriation.

Senator Lundberg moved that the Senate concur in House amendments to **SB17-305**, as printed in House journal, May 8, page 1380. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-040 by Senator(s) Kefalas, Gardner; also Representative(s) Pabon--Concerning public access to files maintained by governmental bodies.

Senator Kefalas moved that the Senate concur in House amendments to **SB17-040**, as printed in House journal, May 9, page(s) 1413-1414, and May 10, page(s) 1434-1435. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Cooke, Court, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Jones, Kerr, and Zenzinger.

SB17-019 by Senator(s) Martinez Humenik; also Representative(s) Singer--Concerning increasing medication consistency for persons with mental illness in the criminal and juvenile justice systems, and, in connection therewith, making an appropriation.

Senator Martinez Humenik moved that the Senate concur in House amendments to **SB17-019**, as printed in House journal, May 9, page 1414, and May 10, page 1439. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-012 by Senator(s) Martinez Humenik; also Representative(s) Lee, Singer--Concerning competency restoration services for defendants deemed incompetent to proceed, and, in connection therewith, making an appropriation.

Senator Martinez Humenik moved that the Senate concur in House amendments to **SB17-012**, as printed in House journal, May 10, page 1437. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB17-021 by Senator(s) Martinez Humenik; also Representative(s) Singer--Concerning reentry services for persons with mental illness in the criminal justice system.

Senator Martinez Humenik moved that the Senate concur in House amendments to **SB17-021**, as printed in House journal, May 9, page(s) 1412-1413. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Grantham.

SB17-296 by Senator(s) Hill; also Representative(s) Pettersen--Concerning financing public schools, and, in connection therewith, making an appropriation.

Senator Hill moved that the Senate concur in House amendments to **SB17-296**, as printed in House journal, May 8, page(s) 1381-1382, and May 10, page(s) 1431-1432. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Court, Fenberg, Kefalas, Kerr, Lambert, Merrifield, Moreno, Todd, Williams A., and Zenzinger.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB17-1072, 1201, 1294.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR17-1033 by Representative(s) Winter; also Senator(s) Fields--Concerning recognition of February 2017 as Self-care Month.

On motion of Senator Fields, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Court, Fenberg, Garcia, Kefalas, Kerr, Martinez Humenik, Merrifield, Todd, and Zenzinger.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 10, 2017

Mr. President:

The House has voted not to concur in the Senate amendments to HB17-1282 and requests that a conference committee be appointed. The Speaker has appointed Representatives Ginal, chairman, Lebsock, and Lewis as House conferees on the First Conference Committee on HB17-1282. The bill is transmitted herewith.

The House voted to adhere to its position on HB17-1329. The bill is transmitted herewith.

In response to the request of the Senate, the Speaker has appointed Representatives Lawrence, chairman, Becker, KC, and Mitsch Bush as House conferees on the First Conference Committee on SB17-306.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Sonnenberg, Chair, Coram, and Garcia were appointed as Senate conferees on the first conference committee on **HB17-1282**.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 10, 2017

Mr. President:

The House has voted to concur in the Senate amendments to HBs17-1315, 1043, 1276, 1326, 1306, 1303, 1204, 1367, 1284, 1264, 1231, 1090, 1119, 1351, 1208, 1002, 1313, and has repassed the bills as so amended.

Upon reconsideration, the House rejected the First Conference Committee Report to SB17-184 and discharged the First Conference Committee. The House requested a Second Conference Committee. The Speaker appointed Representatives Pabon, Chairman, Foote and Van Winkle as House conferees on the Second Conference Committee on SB17-184.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB17-1282

****
THIS REPORT ADOPTS THE
REREVISED BILL
****

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB17-1282, concerning the creation of a veterinary education loan repayment program to assist veterinarians with education loan repayments in exchange for providing veterinary services in rural areas of the state in need of veterinary services, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill, as said amendments appear in the rerevised bill, and that the rerevised bill be adopted without change.

Respectfully submitted,

House Committee:	Senate Committee:
(signed)	(signed)
Joann Ginal, Chariman	Jerry Sonnenberg, Chairman
Steve Lebsock	Don Coram
	Leroy Garcia

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB17-184 by Senator(s) Gardner; also Representative(s) Pabon--Concerning measures to define lawful consumption of marijuana.

Senator Gardner moved that the first report of the first conference committee on **SB17-184** as printed in House journal, May 10, page(s) 1219-1220, be rejected that the first conference committee be dissolved, the Senate conferees be discharged, and that a second conference committee be appointed to **SB17-184**.

The motion was **adopted** by the following roll call vote:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

Senators Gardner, Chair, Cooke, and Court were appointed as Senate conferees on the second conference committee on **SB17-184**.

SENATE RECEDE ON SB17-249

SB17-249 by Senator(s) Smallwood and Williams A.; also Representative(s) Ginal--Concerning the continuation of the division of insurance, and, in connection therewith, implementing the recommendations contained in the 2016 sunset report by the department of regulatory agencies.

Senator Smallwood moved that the first conference committee be dissolved, the Senate conferees be discharged, and that the Senate recede from its position on **SB17-249**. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senator Williams moved that the Senate concur in House amendments to **SB17-249**, as printed in House journal, May 5, page 1316. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS (cont'd)

HB17-1282 by Representative(s) Ginal; also Senator(s) Sonnenberg, Kefalas--Concerning the creation of a veterinary education loan repayment program to assist veterinarians with education loan repayments in exchange for providing veterinary services in rural areas of the state in need of veterinary services.

Senator Sonnenberg moved for the adoption of the first report of the first conference committee on **HB17-1282**, as printed in Senate journal, May 10, page 1228. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

SENATE RECEDE ON HB17-1329

HB17-1329 by Representative(s) Lee and Landgraf, Covarrubias, McKean, Lawrence, Garnett, Herod, Kraft-Tharp, Singer, Thurlow, Wilson; also Senator(s) Kagan and Coram--Concerning the treatment of youths within the division of youth corrections, and, in connection therewith, renaming the division the "division of youth services", clarifying the rehabilitative purpose of the division, establishing a pilot program to initiate a cultural change within the division, clarifying the manner in which the division shall report data concerning critical incidents, renaming and expanding the role of the youth seclusion working group, requiring an independent assessment of the division, creating community boards in each region of the division, requiring the state auditor to audit certain reports of the division, and making an appropriation.

Senator Kagan moved that the Senate recede from its position on **HB17-1329**. The motion was **adopted** by the following roll call vote:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF SECOND CONFERENCE COMMITTEE
ON SB17-184

****
THIS REPORT AMENDS THE
REREVISED BILL
****

To the President of the Senate and the
Speaker of the House of Representatives:

Your second conference committee appointed on SB17-184, concerning measures to define lawful consumption of marijuana, 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 13, strike "ARE" and substitute "IT DEEMS APPROPRIATE, SUBJECT TO THE PROHIBITION IN SUBSECTION (1) OF THIS SECTION.".

Page 2, strike lines 14 through 18.

Page 3, line 10, strike "ARE" and substitute "IT DEEMS APPROPRIATE, SUBJECT TO THE PROHIBITION IN SUBSECTION (1) OF THIS SECTION.".

Page 3, strike lines 11 through 15.

Page 3, strike lines 18 through 26 and substitute:

"**18-18-102. Definitions.** As used in this ~~article~~ ARTICLE 18:

(20.3) (a) "OPEN AND PUBLIC" OR "OPENLY AND PUBLICLY" MEANS:

(I) A PLACE TO WHICH THE PUBLIC OR A SUBSTANTIAL NUMBER OF THE PUBLIC HAS ACCESS, INCLUDING, BUT NOT LIMITED TO, STREETS AND HIGHWAYS, TRANSPORTATION FACILITIES, PLACES OF AMUSEMENT, PARKS, PLAYGROUNDS, AND THE COMMON AREAS OF BUILDINGS AND OTHER FACILITIES; OR

(II) A PLACE NOT PROTECTED FROM UNAIDED OBSERVATION LAWFULLY MADE FROM OUTSIDE ITS PERIMETER.

(b) "OPEN AND PUBLIC" OR "OPENLY AND PUBLICLY" DOES NOT INCLUDE A PRIVATE RESIDENCE; EXCEPT THAT "OPEN AND PUBLIC" SMOKING AS DEFINED IN SECTION 25-14-203 (16) ON THE EXTERIOR OF A PRIVATE RESIDENCE NOT PROTECTED FROM UNAIDED OBSERVATION LAWFULLY MADE FROM OUTSIDE ITS PERIMETER IS LIMITED TO ONLY THE LAWFUL RESIDENTS OF THE PRIVATE RESIDENCE AND NO MORE THAN FIVE INDIVIDUALS WHO ARE NOT RESIDENTS. NOTWITHSTANDING THE PROVISIONS OF SECTIONS 12-43.3-902 (2) AND 12-43.4-902 (2), "OPEN AND PUBLIC" OR "OPENLY AND PUBLICLY" SHALL NOT BE CONSTRUED TO INCLUDE ANY LAWFUL CONSUMPTION BY AN INDIVIDUAL WITHIN THE INTERIOR OF THE RESIDENCE.".

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Bob Gardner, Chariman	Dan Pabon, Chairman
John Cooke	Kevin Van Winkle
Lois Court	Mike Foote

MESSAGE FROM THE HOUSE

May 10, 2017

Mr. President:

The House has adopted and returns herewith SJR17-043, as amended as printed in House Journal, May 10, 2017.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE RESOLUTIONS

SJR17-043 by Senator(s) Coram; also Representative(s) McLachlan--Concerning urging Colorado's executive branch to file a lawsuit against the federal Environmental Protection Agency for unrecovered damages caused by the spill at the Gold King mine.

Senator Coram moved that the Senate concur in House amendments to **SJR17-043**, as printed in House Journal, May 10, page(s) 1489-1490.

A majority of all members elected to the Senate having voted in the affirmative, the motion was adopted on the following roll call vote.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the resolution, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the resolution, as amended, was **repassed**.

Co-sponsor(s) added: Aguilar, Hill, and Moreno.

SENATE ADHERENCE ON SB17-184

SB17-184 by Senator(s) Gardner; also Representative(s) Pabon--Concerning measures to define lawful consumption of marijuana.

Senator Gardner moved that the second conference committee on **SB17-184** be dissolved, that the Senate conferees be discharged, and that the Senate adhere to its position. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MESSAGE FROM THE HOUSE

May 10, 2017

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-300, amended as printed in House Journal, May 9, 2017, and amended on Third Reading as printed in House Journal, May 10, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

May 10, 2017

We herewith transmit:

Without comment, as amended, SB17-300.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS (cont'd)

SB17-300 by Senator(s) Lambert; also Representative(s) Kennedy--Concerning the authority of the commissioner of insurance to implement programs to address the rising costs of providing health care coverage to high-risk individuals in the state, and, in connection therewith, directing the commissioner to study issues related to the implementation of such programs.

Senator Lambert moved that the Senate concur in House amendments to **SB17-300**, as printed in House journal, May 9, page(s) 1413 and 1414-1415, and May 10, page(s) 1471-1472. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

MESSAGE FROM THE HOUSE

May 10, 2017

Mr. President:

The House has adopted the First Report of the First Conference Committee on HB17-1282, as printed in House Journal, May 10, 2017, and has repassed the bill as amended.

The House has voted to recede from its position, and dissolved the First Conference Committee on SB17-306, and has repassed the bill. The bill is returned herewith.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB17-301, amended as printed in House Journal, Wednesday, May 10, 2017.

MESSAGE FROM THE REVISOR OF STATUTES

May 10, 2017

We herewith transmit:

Without comment, as amended, SB17-301.

Call of the Senate. Call raised.

SENATE ADHERENCE ON SB17-301

SB17-301 by Senator(s) Scott and Marble; also Representative(s) Becker K. and Saine--Concerning energy-related statutes.

Senator Scott moved that the Senate not concur in House amendments to **SB17-301**, and that the Senate adhere to its position.

On a substitute motion, Minority Leader Guzman moved that the Senate concur in House amendments to **SB17-301**, as printed in House journal, May 9, page 1413, and May 10, page(s) 1475-1476.

The motion **failed** by the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

The motion that the Senate adhere to its position was **adopted** by the following roll call vote:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

CONSIDERATION OF RESOLUTIONS

SJR17-045 by Senator(s) Holbert, Grantham, Guzman; also Representative(s) Becker K., Duran, Neville P.--Concerning the appointment of a joint committee to notify the governor that the first regular session of the seventy-first general assembly is about to adjourn sine die.

On motion of Majority Leader Holbert, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Cooke, Crowder, Hill, Lambert, Lundberg, Martinez Humenik, Scott, and Tate.

Pursuant to the resolution, Senators Scott and Kefalas were appointed to the committee to notify the governor.

MESSAGE FROM THE HOUSE

May 10, 2017

Mr. President:

The House has adopted and transmits herewith HJR17-1035, and amended as printed in House Journal, May 10, 2017.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR17-1035 by Representative(s) Becker K., Duran, Neville P.; also Senator(s) Holbert, Grantham, Guzman--Concerning Adjournment Sine Die.

On motion of Majority Leader Holbert, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Cooke, Lambert, and Tate.

Senate in recess. Senate reconvened.

TRIBUTES

Honoring:

Rev. James D. Peters, Jr., New Hope Baptist Church, Denver, CO -- By Senator Rhonda Fields and Senator Angela Williams.
Rev. Dr. Acen L. Phillips, Mt. Gilead Baptist Church, Aurora, CO -- By Senator Rhonda Fields and Senator Angela Williams.
Bishop Phillip H. Porter, All Nations Church of God in Christ, Denver, CO -- By Senator Rhonda Fields and Senator Angela Williams.
The Bitter Bar -- By Senator Steve Fenberg.
The Humane Society of Boulder -- By Senator Steve Fenberg.
The Dairy Center for the Arts -- By Senator Steve Fenberg.
The Boulder Museum of Contemporary Art -- By Senator Steve Fenberg.
Roberto Ramirez -- By Senator Rachel Zenzinger.
Elizabeth Ward -- By Senator Kerry Donovan.
Harper Powell -- By Senator Kerry Donovan.
Linda E. Herpin -- By Senator Bob Gardner.
Penelope Serrano Ramirez -- By Senator Steve Fenberg.
Keegan Shorrock -- By Senator Steve Fenberg.
Kristin Yen -- By Senator Steve Fenberg.
Ron Marquez -- By Senator Rachel Zenzinger.
Verne Harris -- By The Black Democratic Legislative Caucus of Colorado.
Josh Perkins, "The Prince of Park Hill" -- By The Black Democratic Legislative Caucus of Colorado.
The Pueblo Young Marines -- By Senator Leroy Garcia.

On motion of Majority Leader Holbert, and with the unanimous consent of those elected to the Senate having voted in the affirmative, the First Regular Session of the Seventy-First General Assembly adjourned *sine die* at 9:29 p.m. on Wednesday, May 10, 2017.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-First General Assembly
STATE OF COLORADO
First Regular Session

Addendum

(As authorized by Section 26, Article V of
the Constitution of the State of Colorado)

Contains all sections following adjournment *sine die* of the
First Regular Session, Seventy-First General Assembly.

MESSAGE FROM THE GOVERNOR

May 8, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-256: CONCERNING HOSPITAL REIMBURSEMENT RATES FOR THE 2017-18 STATE FISCAL YEAR.

Approved May 8, 2017 at 9:28 AM

Sincerely,
(signed)
John W. Hickenlooper
Governor

MESSAGE FROM THE HOUSE

May 10, 2017

Mr. President:

The House has adopted and returns herewith SJR17-045. Pursuant to the resolution, the Speaker has appointed Bridges, Valdez and Van Winkle.

SENATE SERVICES REPORT

May 11, 2017

Correctly Engrossed: SJR17-045.
Correctly Revised: HJR17-1033 and 1035.
Correctly Rerevised: HB17-1002, 1043, 1079, 1090, 1116, 1119, 1162, 1204, 1208, 1216, 1231, 1264, 1266, 1276, 1277, 1282, 1284, 1296, 1303, 1306, 1313, 1315, 1326, 1329, 1340, 1346, 1351, 1356, 1360, 1363, 1367, 1369, 1371, and 1375.
Correctly Enrolled: SB17-012, 019, 021, 040, 183, 240, 267, 296, 299, and 305; SCR17-001.

MESSAGE FROM THE HOUSE

May 11, 2017

Mr. President:

The House took no action on SB17-301 deeming it lost. The bill is returned herewith.

The House took no action on SJR17-013 deeming it lost. The resolution is returned herewith.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

May 11, 2017

The President has signed: SB17-222, 228, 229, 237, 239, 252, 254, 269, and 286; HB17-1160, 1238, and 1255.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, May 11, 2017, at 4:00 p.m.:
SB17-222, 228, 229, 237, 239, 252, 254, 269, and 286.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

May 12, 2017

The President has signed: SB17-209, 232, 274, 278, and 293; SJR17-043 and 045.

May 15, 2017

The President has signed: HB17-1003, 1088, 1104, 1211, 1214, 1227, 1246, 1258, 1279, 1283, and 1304.

MESSAGE FROM THE HOUSE

May 16, 2017

Mr. President:

The House took no final action on SB17-075 and 287. The bills are returned herewith.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

May 16, 2017

The President has signed: HB17-1162, 1204, 1248, 1277, 1332.

May 17, 2017

The President has signed: SB17-091, 121, 193, 212, 272, and 291.

The President has signed: SB17-106, 129, 140, 198, 202, 203, 207, 279, and 280.

The President has signed: HB17-1045, 1077, 1190, 1207, 1228, 1253, 1271, 1288, 1291; HJM17-1001; HJR17-1018, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033.

The President has signed: HB17-1087, 1139, 1165, 1212, 1249, 1251, 1252, 1257, 1263, 1274, 1292, 1308, 1313, 1322, 1330, 1338, 1343.

May 18, 2017

The President has signed: SB17-012, 019, 021, 028, 111, 192, 292, and 295.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, May 18, 2017, at 12:03 p.m.:
SB17-012, 019, 021, 028, 091, 106, 111, 121, 129, 140, 192, 193, 198, 202, 203, 207 212, 272, 279, 280, 291, 292, and 295.

To the Governor for signature on Thursday, May 18, 2017, at 3:00 p.m.:
SB17-025, 096, 103, 126, 243, 251, 271, 294, 297, and 302.

SENATE SERVICES REPORT

May 19, 2017

Correctly Enrolled: SB17-249, 300, and 306; SCR17-001; SJR17-030, 037, 040, 041, 043, and 045.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

May 19, 2017

The President has signed: SB17-025, 096, 103, 126, 243, 251, 271, 294, 297, and 302.

The President has signed: SB17-074, 180, 183, 201, 236, 296, and 300.

The President has signed: SB17-216, 249, 298, and 306.

The President has signed: SB17-040 and 304.

The President has signed: SB17-027, 105, 117, 153, 187, 213, 245, and 264.

The President has signed: HB17-1002, 1082, 1090, 1113, 1116, 1250, 1265, 1289, 1317, 1349, 1354, 1361, 1363.

The President has signed: HB17-1043, 1070, 1079, 1119, 1176, 1231, 1264, 1266, 1276, 1295, 1297, 1298, 1302, 1303, 1353, 1355, 1357, 1365, 1371; HJR 17-1023, 1035.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, May 19, 2017, at 9:35 a.m.:
SB17-074, 180, 183, 201, 216, 236, 249, 296, 298, 300, and 306.

To the Governor for signature on Friday, May 19, 2017, at 4:40 p.m.:
SB17-040, 211, 240, 242, 267, 299, 304 and 305.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

May 20, 2017

The President has signed: SB17-211, 240, 242, 267, 299, and 305; SCR17-001.

May 23, 2017

The President has signed: HB17-1004, 1155, 1208, 1216, 1282, 1284, 1285, 1293, 1296, 1306, 1315, 1326, 1340, 1342, 1346, 1356, 1359.

May 24, 2017

The President has signed: HB17-1329, 1351, 1360, 1367, 1369, 1375.

MESSAGE FROM THE GOVERNOR

May 24, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-193: Concerning the establishment of the 'center for research into substance use disorder prevention, treatment, and recovery support strategies' at the university of Colorado health sciences center, and, in connection therewith, making an appropriation.

Approved May 18, 2017 at 9:06 am

SB17-207: Concerning strengthening Colorado's statewide response to behavioral health crises, and, in connection therewith, making an appropriation.

Approved May 18, 2017 at 10:41 am

SB17-132: Concerning enactment of the 'Revised Uniform Law on Notarial Acts' as amended.

Approved May 18, 2017 at 11:36 am

SB17-297: Concerning revising higher education performance requirements.

Approved May 18, 2017 at 2:25 pm

SB17-129: Concerning the electronic preservation of a plat recorded by a county clerk and recorder.

Approved May 18, 2017 at 4:27 pm

SB17-140: Concerning the Torrens title registration system.

Approved May 18, 2017 at 4:26 pm

SB17-305: Concerning modifications to select statutory provisions affecting primary elections enacted by voters at the 2016 statewide general election to facilitate the effective implementation of the state's election laws, and, in connection therewith, making an appropriation.

Approved May 19, 2017 at 2:24 pm

SB17-280: Concerning extending the repeal date of the Colorado economic development commission, and, in connection therewith, making an appropriation.

Approved May 20, 2017 at 2:41 pm

SB17-117: Concerning confirmation that industrial hemp is a recognized agricultural product for which a person with a water right decreed for agricultural use may use the water subject to the water right for industrial hemp cultivation.

Approved May 21, 2017 at 12:35 pm

SB17-105: Concerning consumers' right to know their electric utility charges by requiring investor-owned electric utilities to provide their customers with a comprehensive breakdown of cost on their monthly bills.

Approved May 22, 2017 at 3:17 pm

SB17-153: Concerning establishment of the southwest chief and front range passenger rail commission to oversee the preservation and expansion of Amtrak southwest chief rail service in Colorado and facilitate the development and operation of a front range passenger rail system that provides passenger rail service in and along the interstate 25 corridor.

Approved May 22, 2017 at 3:18 pm

SB17-074: Concerning the creation of a pilot program in certain areas of the state experiencing high levels of opioid addiction to award grants to increase access to addiction treatment, and, in connection therewith, making an appropriation.

Approved May 22, 2017 at 3:50 pm

SB17-209: Concerning access to the ballot by candidates.

Approved May 23, 2017 at 5:03 pm

SB17-232: Concerning continuation under the sunset law of the bingo-raffle advisory board, and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies.

Approved May 23, 2017 at 5:02 pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 25, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-279: Concerning clarification of the applicability provisions of recent legislation to promote an equitable financial contribution among affected public bodies in connection with urban redevelopment projects allocating tax revenues.

Approved May 25, 2017 at 2:29 PM.

SB17-222: Concerning the nonsubstantive relocation of the laws related to fireworks from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Approved May 25, 2017 at 2:28 PM.

SB17-228: Concerning the nonsubstantive relocation of the laws related to licenses granted by local governments from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Approved May 25, 2017 at 2:28 PM.

SB17-225: Concerning the nonsubstantive relocation of laws related to farm products from title 12 of the Colorado Revised Statutes as part of the organizational recodification of title 12.

Approved May 25, 2017 at 2:33 PM.

SB17-291: Concerning continuation of the school safety resource center advisory board.

Approved May 25, 2017 at 2:32 PM.

SB17-243: Concerning the continuation under the sunset law of the motorcycle operator safety training program by the director of the office of transportation safety in the department of transportation, and, in connection therewith, transferring the operation of the program to the chief of the state patrol beginning in 2018.

Approved May 25, 2017 at 2:31 PM.

SB17-294: Concerning the nonsubstantive revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, imperfect, and inoperative law to preserve the legislative intent, effect, and meaning of the law.

Approved May 25, 2017 at 2:33 PM.

SB17-293: Concerning updating the reference to a national standard setting forth certain specifications applicable to the type of paper used to publish the Colorado Revised Statutes.

Approved May 25, 2017 at 2:31 PM.

SB17-242: Concerning modernizing terminology in the Colorado Revised Statutes related to behavioral health.

Approved May 25, 2017 at 2:33 PM.

SB17-304: Concerning the authority of the joint technology committee.

Approved May 25, 2017 at 2:30 PM.

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 26, 2017

The Honorable Colorado Senate
Seventy-First General Assembly
First Regular Session
State Capitol Building
Denver, Colorado 80203

Ladies and Gentlemen:

It is my honor to inform you that I have approved and filed with the Secretary of State the following Act:

Senate Bill 17-254: CONCERNING THE PROVISION FOR PAYMENT OF THE EXPENSES OF THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL DEPARTMENTS OF THE STATE OF COLORADO, AND OF ITS AGENCIES AND INSTITUTIONS, FOR AND DURING THE FISCAL YEAR BEGINNING JULY 1, 2017, EXCEPT AS OTHERWISE NOTED.

Approved May 26, 2017 at 9:20 a.m.

With the FY 2017-18 budget and its accompanying legislative package, the Colorado General Assembly has once again distinguished itself with a spirit of bipartisan compromise. This budget continues a Colorado tradition of prioritizing prudent spending increases for critical programs in a constricted revenue environment.

Separate from the budget package, the passage of S.B. 17-267 ensures that Colorado's budget can meet the needs of a growing state, subject to the normal fluctuations of economic activity. We applaud the General Assembly for this and many other important achievements during the 2017 Legislative session, including:

- K-12 Education - With the passage of the annual School Finance Act, funding for primary and secondary education will increase with inflation and enrollment over the prior year. In addition, the negative factor is reduced to $828.3 million for FY 2017-18, $2.4 million below the $830.7 million contained in the initial FY 2016-17 appropriation.

- Housing for at-risk populations - This budget provides $15.3 million from the Marijuana Tax Cash Fund to provide permanent supportive housing and rapid re-housing assistance for individuals with behavioral health needs, and for individuals experiencing or at-risk of homelessness. By providing stable housing, which includes rental assistance and supportive services, we expect to reduce incarceration, hospitalization, and homelessness for many of Colorado's most vulnerable citizens.

- Unregulated "Gray Market" Medical Marijuana Activity - H.B. 17-1220 and H.B. 17-1221 create the authority and resources needed to combat and prevent the illegal diversion of medical marijuana to unregulated markets, or "gray market" activity. In addition to placing a new 12-plant cap on the number of plants that can be possessed or grown on a residential property, these bills also create a grant program totaling $5.9 million from the Marijuana Tax Cash Fund to reimburse local governments for law enforcement and prosecution costs associated with gray and black marijuana markets.

- School Health Professionals Grant Program - The Department of Education received an increase of $9.7 million from the Marijuana Tax Cash Fund to augment a program that offers matching grants to School Districts, Local Education Authorities, and charter schools to increase the presence of health professionals in secondary schools. These grants are estimated to increase by 150 the number of school health professionals statewide, providing education, universal screening, referral, and care coordination for students with substance abuse and other behavioral health needs.

- Addressing Mental Health in Colorado's Criminal Justice System - Through S.B. 17-207, the Department of Human Services received $7.1 million from the Marijuana Tax Cash Fund aimed at ending the use of jails for holding people who have committed no crime and are experiencing a mental health crisis, and to implement criminal justice diversion programs at the local level. These initiatives will help direct individuals with immediate mental health and substance needs to more appropriate services outside the criminal justice system.

Concerns with S.B. 17-254 Footnotes

It is the Governor's constitutional obligation to review the general appropriations bill and exercise the line item veto when necessary. We recognize and appreciate the legitimate and reasonable expression by the General Assembly of the intent associated with certain appropriations contained in the FY 2017-18 Long Bill. In fact, many of these expressions of intent are based on information contained within the Executive Branch budget requests. In general, we interpret most of these expressions of intent as different from attempts to administer appropriations or to pursue substantive law via the general appropriations bill. Thus, we have not vetoed any of the footnotes in S.B. 17-254.

While the Legislature has the prerogative to express its intent, the Executive Branch maintains the clear and inherent responsibility to administer appropriations (see Colorado General Assembly v. Owens, 136 P.3d 262 (Colo. 2006); Colorado General Assembly v. Lamm, 704 P.2d 1371 (Colo. 1985); and Anderson v. Lamm, 195 Colo. 437, 579 P.2d 620 (1978)). For this reason, we have directed Executive Branch agencies to comply with the intent of the footnotes contained in S.B. 17-254 to the extent practicable and appropriate.

Moreover, if operational needs dictate otherwise, the Executive Branch will not be constrained by any limitations implied within any of the Long Bill footnotes. In particular, many footnotes in S.B. 17-254 may constitute attempts by the General Assembly to administer the appropriation, including:

- those that indicate dollar amounts for expenditure in specific programs or for specific purposes; and

- those that indicate specific expectations for programmatic expenditures or activities.

As such, State departments may deviate from the intent expressed in any footnote as necessary.

Five footnotes included in S.B. 17-254 are of particular concern to us:

- **Footnote 1, page 13**: Department of Agriculture, Agriculture Services, Plant Industry Division - It is the intent of the General Assembly that the portion of this appropriation used by the Division to support the 13.3 FTE for the inspection and enforcement of pesticide use on marijuana and industrial hemp crops not be continued for any fiscal year after FY 2017-18, unless justification for the continued need is provided by the Department through a formal request.

Our administration believes that the safe use of pesticides on marijuana and industrial hemp crops will remain an indefinite concern for the health and welfare of residents and visitors in Colorado. For this reason, we do intend to revisit this issue during the 2018 Legislative session to seek a more permanent funding solution for this important program.

- **Footnote 41, page 119**: Department of Human Services, Office of Early Childhood, Division of Community and Family Support, Early Childhood Mental Health Services -It is the intent of the General Assembly that this appropriation be used for the purpose of supporting early childhood mental health specialists in each community mental health center.

  Our administration agrees with the intent of this footnote, and the Department of Human Services will make every reasonable effort to ensure that each community mental health center (CMHC) will choose to employ early childhood mental health specialists. However, because the State secures the services of CMHCs through a competitive procurement process, we cannot guarantee that each CMHC will respond satisfactorily to the procurement solicitations issued by DHS. The Department will conduct targeted outreach to each of the CMHCs to encourage their participation in this effort.

- **Footnote 47, page 120**: Department of Human Services, Behavioral Health Services, Integrated Behavioral Health Services, Rural Co-occurring Disorder Services - It is the intent of the General Assembly that this appropriation be used for the purpose of providing a full continuum of co-occurring behavioral health treatment services in southern Colorado and the Arkansas Valley.

  After issuing a Request for Proposals during FY 2016-17 for this purpose, the Department of Human Services was able to contract with one vendor to provide these services in the Arkansas Valley. The Department will monitor this vendor to ensure the greatest possible compliance with the intent of this footnote.

- **Footnote 68a, page 176**: Department of Natural Resources, Oil and Gas Conservation Commission, Program Costs - It is the General Assembly's intent that $750,000 from the Severance Tax Operational Fund appropriated to this line item be expended hiring individuals for the nine vacant positions being held vacant due to revenue shortfalls identified in the Department of Natural Resources Staff Memo dated March 29, 2017.

  This footnote attempts to administer the appropriation by directing the hiring of a specific number of FTE positions in this program. While our administration agrees with the intent of this footnote, the Department of Natural Resources may reprioritize the use of this funding as the business needs of the Oil and Gas Conservation Commission dictate.

- **Footnote 76, page 212**: Department of Public Health and Environment, Administration and Support, Administration, Leave Payouts - The Department may use this line item for leave payouts for cash funded and federal funded employees only.

  This footnote administers the appropriation. The Department of Public Health and Environment will observe existing State and federal rules in the use of indirect cost recoveries for leave payouts, and will comply with the intent of this footnote only when practicable.

As in recent years, we also remain concerned with the General Assembly's inclusion of full-time equivalent positions (FTE) within the general appropriations act. The Colorado Supreme Court's opinion in Anderson v. Lamm, 195 Colo. 437, 579 P.2d 620 (1978) clearly states that "specific staffing and resource allocation decisions" in a general appropriations bill are unconstitutional. The Supreme Court affirmed this finding in Colorado General Assembly v. Owens, 136 P.3d 262 (Colo. 2006). Further, it remains our opinion that any predetermined prescription of FTE authorization limits the ability of State agencies to make the most resource-effective use of appropriations to accomplish critical performance objectives.

Therefore, Executive Branch agencies are instructed to manage their appropriations within the scope of the dollars appropriated in S.B. 17-254 and without limitation by the bill's FTE authorizations.

Closing Comments

We would like to express our enduring gratitude for the work performed by the Joint Budget Committee members, the Joint Budget Committee staff, the staff of the Office of State Planning and Budgeting, and the scores of budget analysts throughout Colorado's government for their tireless commitment to the betterment of Colorado.

Sincerely,
(signed)
John W. Hickenlooper
Governor

March 30, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-267: Concerning the sustainability of rural Colorado.

Approved May 30, 2017 at 12:20 PM

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 31, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-292: Concerning the creation of the employment opportunities with wages program for qualifying Colorado works basic cash assistance recipients, and, in connection therewith, making an appropriation.

Approved May 31, 2017 at 3:36 PM.

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 1, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-040: Concerning public access to files maintained by governmental bodies.

Approved June 1, 2017 at 2:20 PM

SB17-216: Concerning continuation of the regulation of collection agencies under the 'Colorado Fair Debt Collection Practices Act', and, in connection therewith, implementing the recommendations of the 2016 sunset report of the department of regulatory agencies and making an appropriation.

Approved June 1, 2017 at 2:10 PM

SB17-215: Concerning the continuation under the sunset law of the division of real estate, and, in connection therewith, implementing the recommendations contained in the sunset report prepared by the department of regulatory agencies.

Approved June 1, 2017 at 1:53 PM

SB17-180: Concerning a streamlined approach for the enforcement of regulations governing motor carriers in matters before the public utilities commission.

Approved June 1, 2017 at 1:51 PM

SB17-249: Concerning the continuation of the division of insurance, and, in connection therewith, implementing the recommendations contained in the 2016 sunset report by the department of regulatory agencies.

Approved June 1, 2017 at 1:59 PM

SB17-212: Concerning the continuation of the Colorado board of veterans affairs.

Approved June 1, 2017 at 9:52 AM

SB17-217: Concerning the continuation of the board of commissioners of veterans community living centers.

Approved June 1, 2017 at 9:51 AM

SB17-213: Concerning authorization for automated driving systems to control motor vehicles throughout Colorado.

Approved June 1, 2017 at 10:54 AM

SB17-229: Concerning failure to exhibit due care when passing vehicles displaying visual signals.

Approved June 1, 2017 at 11:42 PM

SB17-027: Concerning an increase in the penalty for text messaging while operating a motor vehicle.

Approved June 1, 2017 at 1:13 PM

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 2, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-300: Concerning the authority of the commissioner of insurance to implement programs to address the rising costs of providing health care coverage to high-risk individuals in the state, and, in connection therewith, directing the commissioner to study issues related to the implementation of such programs.

Approved June 2, 2017 at 11:39 AM

SB17-296: Concerning financing public schools, and, in connection therewith, making an appropriation.

Approved June 2, 2017 at 11:39 AM

SB17-236: Concerning the continuation of the regulation of bail bonding agents regulated by article 23 of title 10, Colorado revised statutes, by the division of insurance, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.

Approved June 2, 2017 at 11:39 AM

SB17-201: Concerning the continuation of the domestic violence offender management board, and, in connection therewith, implementing the recommendations of the 2016 sunset report issued by the department of regulatory agencies.

Approved June 2, 2017 at 11:38 AM

SB17-251: Concerning ownership interests in motor vehicles by certain state-regulated entities.

Approved June 2, 2017 at 11:38 AM

SB17-271: Concerning the development of a transparent process by which an investor-owned utility may recover actual costs from a property owner on whose behalf the utility has extended its service by connecting the property owner's property to the utility's service.

Approved June 2, 2017 at 11:38 AM

SB17-302: Concerning a clarification of the exemption from property tax of silvicultural equipment.

Approved June 2, 2017 at 11:38 AM

SB17-096: Concerning creation of a grant program to support a shared peace officer auxiliary, and, in connection therewith, making an appropriation.

Approved June 2, 2017 at 11:37 AM

SB17-025: Concerning the development of marijuana education materials, and, in connection therewith, making an appropriation.

Approved June 2, 2017 at 11:37 AM

SB17-021: Concerning reentry services for persons with mental illness in the criminal justice system.

Approved June 2, 2017 at 11:37 AM

SB17-218: Concerning the continuation of the regulation of landscape architects by the division of professions and occupations in the department of regulatory agencies.

Approved June 2, 2017 at 11:36 AM

SB17-106: Concerning the continuation of the regulation of naturopathic doctors by the director of the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the department's sunset review recommendations.

Approved June 2, 2017 at 11:36 AM

SB17-121: Concerning improving medicaid client correspondence, and, in connection therewith, making an appropriation.

Approved June 2, 2017 at 11:36 AM

SB17-192: Concerning provisions to allow marijuana businesses to operate more efficiently, and, in connection therewith, making an appropriation.

Approved June 2, 2017 at 11:35 AM

SB17-198: Concerning public participation in the review by the commissioner of insurance of the acquisition of control of an insurer that offers health plans, and, in connection therewith, making an appropriation.

Approved June 2, 2017 at 11:35 AM

SB17-202: Concerning measures to conserve native species in Colorado, and, in connection therewith, making appropriations from the species conservation trust fund for purposes recommended by the department of natural resources.

Approved June 2, 2017 at 11:35 AM

SB17-203: Concerning the prohibition against a carrier requiring a covered person to undergo step therapy, and, in connection therewith, requiring coverage for a prescribed medication that is part of the carrier's medication formulary.

Approved June 2, 2017 at 11:34 AM

SB17-272: Concerning adding a measure relating to demonstration of college and career readiness for determining a local education provider's attainment of the postsecondary and workforce readiness performance indicator.

Approved June 2, 2017 at 11:34 AM

SB17-295: Concerning fraud in the medicaid program.

Approved June 2, 2017 at 11:34 AM

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 2, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

This letter is in reference to Senate Bill 17-229, "Penalties When Passing Stationary Vehicles."

Due to an error, SB 17-229 identifies an incorrect signature time. The correct time of my signature is 11:42 am. Please let your records reflect this modification.

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 5, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-269: Concerning the exclusion of specified nonalcohol products from the calculation of the maximum amount of a retail liquor store's annual gross sales revenue that may be derived from the sale of nonalcohol products.

Approved June 5, 2017 at 3:52 pm.

SB17-252: Concerning the authority of a board of any political subdivision to enter into contracts for utility cost savings.

Approved June 5, 2017 at 2:34 pm.

SB17-299: Concerning the apportionment of income for state income tax for taxpayers with enterprise data centers in the state.

Approved June 5, 2017 at 2:42 pm.

SB17-091: Concerning allowing medicaid home health services to be provided in the community, and, in connection therewith, making an appropriation.

Approved June 5, 2017 at 2:52 pm.

SB17-278: Concerning a prohibition against engaging in a nuisance exhibition of motor vehicle exhaust.

Approved June 5, 2017 at 3:01 pm.

SB17-183: Concerning the authority for the department of military and veterans affairs to make grants related to the USS Colorado, and, in connection therewith, making an appropriation.

Approved June 5, 2017 at 3:34 pm.

SB17-028: Concerning the promotion of healthy families through the sharing of information related to investigations of child abuse or neglect between departments of human services and military installations when a person affiliated with the military installation is involved with the investigation, and, in connection therewith, making an appropriation.

Approved June 5, 2017 at 3:45 pm.

SB17-244: Concerning retail food establishment license fees.

Approved June 5, 2017 at 3:55 pm.

SB17-274: Concerning an authorization for nonadmitted insurers to offer disability insurance as a type of surplus lines insurance.

Approved June 5, 2017 at 3:52 pm.

SB17-219: Concerning the continuation of the local advisory boards for veterans community living centers.

Approved June 5, 2017 at 3:56 pm.

SB17-221: Concerning the continuation of the court security cash fund commission.

Approved June 5, 2017 at 3:56 pm.

SB17-245: Concerning a twenty-one-day notice requirement in tenancies of one month or more but less than six months.

Approved June 5, 2017 at 3:57 pm.

SB17-264: Concerning funding sources related to services for behavioral or mental health disorders.

Approved June 5, 2017 at 3:57 pm.

SB17-237: Concerning the age of employees permitted to sell alcohol beverages at specified establishments licensed to sell alcohol beverages for consumption on the licensed premises.

Approved June 5, 2017 at 3:57 pm.

SB17-239: Concerning additional authority for the controller to allow nonmonetary adjustments for information technology capital projects in certain circumstances.

Approved June 5, 2017 at 3:56 pm.

SB17-017: Concerning adding stress disorders to the list of debilitating medical conditions for the purposes of the use of medical marijuana.

Approved June 5, 2017 at 3:56 pm.

SB17-187: Concerning the authority for an exemption to the residency requirement for education-related marijuana occupational licenses, and, in connection therewith, making an appropriation.

Approved June 5, 2017 at 3:58 pm.

SB17-298: Concerning the relationship between a motor vehicle manufacturer and the motor vehicle dealers that have franchise agreements with the manufacturer.

Approved June 5, 2017 at 3:58 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 6, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-306: Concerning a direct transfer of money from the high cost support mechanism to broadband deployment grant applicants with proposed broadband deployment projects that have been approved by the broadband deployment board for a grant award, and, in connection therewith, requiring segregation of funds for basic voice service from funds for broadband deployment.

Approved June 6, 2017 at 10:24 am.

SB17-103: Concerning implementing research-based early learning strategies as corrective actions in the public elementary and secondary education accountability system.

Approved June 6, 2017 at 10:26 am.

SB17-211: Concerning a requirement that a state agency accept the full amount of a bid security bond issued by a surety company to a prospective contractor for a public project.

Approved June 6, 2017 at 10:26 am.

SB17-286: Concerning the administration of the requirements necessary to allow a person to operate a motor vehicle on the highways of the state.

Approved June 6, 2017 at 10:30 am.

SB17-240: Concerning the continuation of the regulation of persons who sell vehicles in the ordinary course of business, and, in connection therewith, implementing the recommendations of the sunset report of the department of regulatory agencies and making an appropriation.

Approved June 6, 2017 at 10:32 am.

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 6, 2017

The Honorable Colorado Senate
General Assembly
State Capitol
200 E. Colfax Ave.
Denver, CO 80203

Dear Members of the Colorado Senate:

Today, we filed with the Secretary of State Senate Bill 17-012, "Concerning Competency Restoration Services for Defendants Deemed Incompetent to Proceed" (SB 17-012). As I am neither signing nor vetoing SB 17-012, the bill will become law at 12:01 A.M. on June 10, 2017.

Although we agree that SB 17-012 sets good policy for the State of Colorado, for the same reasons elaborated in my letter delivered to the Senate today on Senate Bill 17-019, we have concerns that the bill's full and true impact on the state budget was not fully transparent.

We remain grateful for the House sponsor's efforts to alleviate several of these concerns when these issues were raised. However, we expect that future legislation not contain "work-around" language to the the annual appropriations process - whether by delays of implementation dates several years out, use of unnecessarily optional or permissive bill language, or other tactics that may veil a bill's true cost to the taxpayers.

For these reasons, I allowed Senate Bill 17-012 to become law without my signature.

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 6, 2017

The Honorable Colorado Senate
General Assembly
State Capitol
200 E. Colfax Ave.
Denver, CO 80203

Dear Members of the Colorado Senate:

Today, we filed with the Secretary of State Senate Bill 17-019, "Concerning Medication Consistency for Persons with Mental Illness in the Criminal and Juvenile Justice Systems" (SB 17-019). As I am neither signing nor vetoing SB 17-019, the bill will become law at 12:01 A.M. on June 10, 2017. This letter sets forth my reasons for allowing SB 17-019 to become law absent my signature.

Senate Bill 17-019 implements recommendations of the Legislative Oversight Committee Concerning the Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems. We are pleased with the bill's statutory changes and its support for Coloradans with mental illnesses. On the bill's policy merits, we take no issue. However, we have concerns regarding the bill's cost and the late amendments that were added to this legislation.

Like all bills, SB 17-019 received an independent fiscal impact analysis. The original fiscal note estimated a cost of $540,575 and 0.9 full time employees (FTE) in FY 2017-18 and continued costs in future fiscal years. During the legislative process, amendments reduced the stated fiscal impact to S26,000 and zero FTE.

Accounting for this significantly lowered fiscal estimate, in the final week of the 2017 legislative session, amendments were added delaying several of the bill's implementation dates beyond Fiscal Year 2017-2018. Furthermore, language was inserted making most of the bill's requirements voluntary, subject to out-year budgeting, and legislating future budget requests by the Administration to prioritize funds to accomplish the bill's tasks. These changes were stated to have been done to secure passage and sidestep the fiscal constraints of the House and Senate Appropriations Committees.

We are very grateful for the House sponsor's efforts to alleviate some of these concerns when these issues were raised. However, legislation should not contain "work-around" language to the annual appropriations process - whether by delays of implementation dates several years out, use of optional or permissive bill language, or other tactics that may veil a bill's true cost to the taxpayers.

Although we remain persuaded that SB 17-019 enacts positive changes for the State, w e expect legislation to be more transparent on its impact on taxpayer funds. Given that we are frequently accused of not correctly prioritizing our resources or not making tough choices, the strategy in this bill merits highlighting. For these reasons, I allowed Senate Bill 17-019 to become law without my signature.

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 8, 2017

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB17-126: Concerning the Colorado domestic violence fatality review board, and, in connection therewith, making an appropriation.

Approved June 8, 2017 at 3:03 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 8, 2017

The Honorable Colorado Senate
General Assembly
State Capitol
200 E. Colfax Ave.
Denver, CO 80203

Dear Members of the Colorado Senate:

Today, I vetoed Senate Bill 17-111, "Concerning Measures to Address Medical Marijuana Inventory Shortfalls" (SB 17-111) at 8:41 am. Senate Bill 17-111 provides the Marijuana Enforcement Division (MED) rulemaking authority to modify vertical integration requirements for medical marijuana licensees and grants an exception to such requirements for inventory transfers between identically owned licensees.

Vertical integration has been a critical component of Colorado's medical marijuana regulatory system since the medical marijuana code was enacted in 2010. Each medical marijuana center must be aligned with a cultivation facility from which it must obtain at least 70 percent of its inventory. A center may receive up to 30 percent of its inventory from non-vertically aligned licensees and transfer as much as 30 percent of its inventory to non-vertically aligned licensees. These requirements are critical components of production management within the medical marijuana industry and prevent risk of diversion,

SB 17-111 would allow these thresholds to be relaxed, and would provide a subset of licensees further exemptions from vertical integration requirements, such that 100 percent of those licensees' inventory transfers may be conducted outside limits set in law. There is no clear data to support the basis for these provisions, and the bill does not provide a substitute for production management of medical marijuana inventory. Thus, both provisions weaken long-standing vertical integration laws in a manner that favors a subset of licensees, poses inventory tracking challenges for MED, and risks destabilizing Colorado medical marijuana markets.

We have worked diligently with the General Assembly to establish a robust regulatory structure that responsibly manages production levels and prevents opportunities to distribute marijuana unlawfully. In this time of uncertainty regarding federal intervention in states that have legalized recreational marijuana, Colorado must demonstrate its ability to maintain a regulatory system that protects these priorities. Accordingly, I have vetoed SB 17-111.

Sincerely,
(signed)
John W. Hickenlooper
Governor